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ARCHIVES OF MARYLAND
LXIV

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND
October 1773 to April 1774

(32)

PUBLISHED BY AUTHORITY OF THE STATE UNDER THE DIRECTION OF THE
MARYLAND HISTORICAL SOCIETY

ELIZABETH MERRITT

Editor



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LETTER OF TRANSMITTAL

Baltimore, December 1, 1947

To the Maryland Historical Society

GENTLEMEN:

The volume of the *Archives of Maryland* now offered you is the sixty-fourth of the series, and the thirty-second volume of the sub-series of the Proceedings and Acts of the General Assembly. It consists of the official record of the last pre-Revolutionary sessions of the Assembly, the meeting or convention of October 13-28, 1773, the session of November 16-December 23, 1773, and the third session of the body elected in May 1773, the session that lasted from March 23 to April 19, 1774. The first session of this Assembly was held in June-July 1773, and its proceedings have already been printed in volume LXIII of the *Archives*.

As has previously been done, the text that begins on page three and ends on page 420 has been printed directly from photostats of the official libers which are now in the Hall of Records in Annapolis, except for the Lower House proceedings for two sessions. For the convention of October 13-29, 1773, and for the session of November 16-December 23, 1773, there is no manuscript now known to exist, so that recourse had to be had to the official printed version, the work of Anne Catharine Green of Annapolis. Indeed, the printed version itself is but little less rare than the manuscript. Wroth, in his *History of Printing in Colonial Maryland*, lists only one of the three, but the Historical Society has copies of all of them. Two came to light after Wroth wrote, when the library of James McSherry was broken up.

As always, the manuscript has been followed with Chinese faithfulness. End quotes have been inserted, in brackets, and in a few places missing words have likewise been put in, but the cases have been very few. Although the manuscript is the source, it has been compared with Green's printed version throughout, and, where the differences seemed important enough, comment on them has been made. The *Votes and Proceedings*, and the session laws, as printed by Green, were the official version: they were sent to the high officials at Annapolis and in the counties for their guidance. They may even be more accurate than the original, for the clerks of the houses were often observably careless. Printing from Green was less difficult than from the manuscript, and the Lower House proceedings of the October 13-29 and the November 16-December 23 sessions are presented as faithfully as a modern press can reproduce the eighteenth century product. Only one known change has been made.

Eighteenth century printers used, for *f* and for *s* in the middle of a word, symbols that are almost or entirely indistinguishable. About halfway down the body of the character for both letters there is a little stroke at right angles. If the letter is an *f*, the little stroke is to the right of the upright; if it is an *s*, the stroke is to the left. And if the type is old or of poor quality, the little stroke is often missing, and only the context will tell which letter is meant. In this case, strict conformity seemed to be a little too precious, so it was decided to use a modern round *s* even when Anne Catharine Green properly used the type of her day.

In the printing of the session laws, Green has been allowed some influence. In the manuscript, the laws are without divisions for paragraphs, and almost without punctuation. Page follows page without a break. In printing the laws here, they are divided into paragraphs according to Green, and the side-notes which the "Act for the speedy and effectual publication of the laws of this province" ordered Mrs. Green to print, if she wanted her tobacco, have been reproduced at the proper places, in brackets of course.

The appendices contain contemporary material related to the workings of the Assembly in the period. On October 15, 1773, the Lower House took into consideration the letters and papers received by the Speaker from other colonies, and unanimously resolved to appoint a standing committee of correspondence with all the British colonies. Appendix I contains all the letters and resolves referred to, as far as they could be got hold of, a hundred and seventy-five years later. The actual papers received in Maryland have disappeared, presumably for good. But, since the same letters were sent to all the colonies, those received in Virginia are the same as the Maryland ones, and they have been preserved and are here reproduced, through the co-operation of the Virginia State Library from its originals or contemporary copies.

Appendix II is Peter Force's transcript of the Council Proceedings of October 29, 1773, from the Force Transcripts in the Library of Congress. Of the proceedings of the Provincial Council, the last known original journals are those for 1769-1770, published in vol. XXXII of the *Archives of Maryland*, pp. [283]-388. What happened to the originals that Force used, no one knows, though it is hard to escape the conviction that they must have been in existence seventy-five years after the period to which they relate. Force himself says nothing beyond a short notation, "No. 5. Md Archives." His transcript appears, by internal evidence, to be faithful, and it is included, for lack of a better, because its contents are important.

One Act of Assembly at the March-April 1774 session was intended to prevent infection from the ship *Chance*, at the time lying at anchor off Annapolis, and believed to have putrid fever, or typhus aboard her. In Appendix

III are presented several petitions about the ship. They seem to show that perhaps the lawmakers were unduly alarmed.

The Committee on Publications is indebted to Mrs. Vivian E. Barnes for help in searching for appendix material and for general aid and counsel on *Archives* procedure.

The next volume of the *Archives* will contain the Proceedings of the Provincial Court from 1671 to 1674.

The Committee on Publications announces with regret that Dr. Raphael Semmes has resigned as editor of the *Archives of Maryland*. Dr. Semmes in the two preceding volumes brought to his work not only broad scholarship and legal knowledge but great familiarity with Maryland colonial history. He is succeeded as editor by Dr. Elizabeth Merritt, Ph.D. in history of the Johns Hopkins University, whose help to past editors is gratefully remembered.

Respectfully submitted,

J. HALL PLEASANTS, *Chairman*,
CHARLES A. BARKER,
HARRISON TILGHMAN,
JOSEPH KATZ,
GEORGE ROSS VEAZEY.

INTRODUCTION

THE GENERAL ASSEMBLY

Although the Assembly sessions whose official records appear in this volume are the last sessions of the Proprietary or Provincial Assembly, the last pre-Revolutionary meetings, it would not appear from a reading of the text that this was going to be the case. It is true that on October 15, 1773 (pp. 23-24) the Lower House appointed a Committee of Correspondence and Enquiry, and that the members of the committee were the leaders of the house, and leaders in the fight for independence. But even those who believed that the colonies must some day be independent would not have sensed that independence in 1773 or 1774. The make-up of the Upper House in October 1773 was much the same as it had been in June. The members present at the opening session were Benedict Calvert, Daniel Dulany the Younger, John Ridout, George Steuart, William Fitzhugh, Daniel of St. Thomas Jenifer and George Plater. William Hayward re-appeared ten days later, and two new members, Benjamin Ogle and Philip Thomas Lee came for the first time October 28 and 29, at the very end of this session. It was rumored around Annapolis that Ogle had been added to the Upper House at this time for the sole purpose of breaking a tie over the inspection bill by voting against it, but the *Maryland Gazette* for November 4 denied this emphatically. The rejection had been determined on before, even if it had not been carried down to the Lower House.

The same men who made up the Upper House were at the same time members of the Council, the Provincial Court and the Court of Appeals. They were also the well-paid holders of most of the really important Proprietary offices. Benedict Calvert and Dr. George Steuart were judges of the Land Office, Daniel Dulany the Younger was commissary-general, one of the very richest offices in the Province. William Fitzhugh was treasurer of the Western Shore, Daniel of St. Thomas Jenifer was the Proprietary's Agent and Receiver-General, Ridout and Plater and Richard Lee were Naval Officers. William Hayward—of Talbot County—was Rent Roll Keeper of the Western Shore. It was estimated that in 1754 the average income of the members from their offices was £372, and that by the time the Revolution broke out, it had increased 50%, an enormous income for the day. Moreover, most of the men were also wealthy outside their offices.

In the Lower House, of a possible total of fifty-eight members, four for each county and two for Annapolis, sixty per cent had been members since before 1771. The newer members, to judge by their performances, were at least as strongly anti-Proprietary as the older ones. Because this was not the first session of the newly elected House, there was no general swearing-in ceremony like that held on June 15, 1773, nor was there now any report from the Committee of privileges and elections (*Archives of Maryland*, vol. LXIII, pp. 335, 368-369). Sometimes on the day set for the Assembly to meet there

were not enough members present to make an house: in this case, there were enough, thirty-two of the fifty-eight, and the session got under way in the regular way, and quickly. Only Anne Arundel, Cecil and Talbot Counties and the city of Annapolis had their full complement present. St. Mary's, Calvert, Prince George's, Worcester and Frederick had three of their four, and Baltimore and Somerset had none at all. Stragglers came in (pp. 21, 24, 25, 27, 28, 30, 31, 32, 33, 34, 83, 85, 86 and so on) until the total rose to fifty-four. House rules declared that when a member absented himself without leave, the Speaker might fine him up to five shillings, and more than once letters went out to absent members to say that the House required their immediate attendance. The speaker chosen in June, Matthew Tilghman of Talbot, and the clerks and minor officials continued to serve. The same rules, the same hours for sitting were adopted, the same committees were set up. And the same instructions were given to the Committee of Aggrievances, that it should attend also to the courts of justice and to the commissions of the judges.

Both houses replied in a pleasant way to the pleasant opening speech of the Governor. Both agreed that the October date was the best possible season for their private affairs and the Lower House went so far as to take out of the first draft of their reply a somewhat ill-natured reference to the Governor's action in proroguing the Assembly to get William Steuart out of the jail into which the Lower House had thrown him (*Archives*, LXII, pp. xxvii-xxix, 421-425).

In his opening address, the Governor urged the houses to consider the Light house proposed for Cape Henry, the establishment of a seminary or college, the correction of compass variations because of the harmful effect thereof on land boundaries, the bad condition of the public roads, and the often-repeated matter of the extent of English statutes to Maryland. In its reply the Lower House admitted the importance of these topics, but it added that there were matters more immediately affecting the welfare of the Province, to which they must first attend. A committee was set up to draft a law for the regulation of the staple of tobacco, certainly a matter of the utmost urgency in a province where tobacco was currency. Another committee was ordered to prepare a bill for the regulation of officers fees. The matter of those fees and of the right of the Governor to establish them by proclamation had created much angry controversey in earlier sessions (*Archives*, LXIII, xxiv, 109-111, 359-361). In these sessions also there was much debate and much heat, but no settlement (pp. 35, 116, 285, 317, 323-324).

Then, the opening formalities over, the Lower House got down to business. It took up the confused case of Mr. Jonathan Hagar as reported by the Committee of Elections and Privileges of the last session. With Hagar present, it ordered read to it seven English or Provincial statutes bearing on the right of a naturalized citizen to sit in its midst. After Hagar had withdrawn, it declared his seat vacant, and ordered that a new writ of election be obtained to fill it (pp. 21-23). This Lower House action against Hagar was one of the things that so horrified the Governor at the time the House adjourned itself without notice to anyone (pp. 434-435, 436).

As soon as the Lower House had expelled Mr. Hagar, it took up what was, in the long run, incomparably the most important thing it did in that session, the matter of a committee of correspondence with the other colonies. Letters to the Speaker from his Virginia and Rhode Island counterparts had come last session, and been laid before the House; recently others had come from Massachusetts and from Connecticut. The tenor of all was the same: let committees of correspondence be set up in each colony, committees whose business should be to obtain and spread information of such British statutes or administrative acts as related to the American colonies, and to correspond with each other on them. When in 1768, the Massachusetts circular letter about the Townshend Acts had been followed by the King's command to the legislatures of the other colonies to ignore it (LXI, ix, 399), the Lower House refused to ignore it, and was dissolved by the Governor, also at the orders of the King. Now, five years later, there were no such consequences.

The letters were laid before the House on the afternoon of October 13, the day the session opened, and they had probably been handed around among the members as soon as they arrived. Late in the afternoon of October 15, after they had taken time to expel Hagar, the House took them into consideration and "RESOLVED *unanimously* That this House most cordially accept the Invitation to a mutual Correspondence and Intercourse with our Sister Colonies." (p. 23). A standing committee of eleven members was appointed, consisting of Matthew Tilghman, John Hall of Anne Arundel County, Thomas Johnson, William Paca, Samuel Chase, Edward Lloyd, Matthias Hammond, Josias Beall, James Lloyd Chamberlaine, Brice Thomas Beale Worthington and Joseph Sim. Copies of the resolutions were sent to the Speakers of all the other colonies. The text of the letters received and of the Maryland action on them is in App. I.

The usual spate of petitions was received in the Upper House and referred by it to the Lower House; and some bills were introduced. A bill relating to leases made by St. Anne's Parish Annapolis was introduced on October 16, passed October 19, and passed next day by the Upper House. The unforeseen adjournment of the Assembly prevented its being sealed by the Governor, but in the next session it did become law (pp. 71, 193-194). Another bill to quiet some Frederick Countians in the title to their possessions also passed and also failed of sealing (pp. 10, 30, 32, 36), and, like the other, it too became law in the next session (pp. 72, 194).

CONTROVERSIES SETTLED

A bill "for the regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs," brought in October 19, was passed on the 22d. (pp. 18, 25, 29, 30), and sent forthwith to the Upper House. Here it was conditionally accepted and returned to its originators (10, 12), who rejected the condition. The Upper House was as well aware as the Lower that the entire finance and economy of the Province hung on having a sound law for the inspection of tobacco, but they could not bring themselves to pass it in its present form. In the message accompanying it on its return they sug-

gested that if the Lower House would include in it the clergy and the officers and lawyers, they would cheerfully pass it. The bill came down on the morning of October 28. That afternoon the Lower House took into consideration these proposed changes and rejected them, unanimously. Then they adjourned until November 10, "to consult their Constituents on the present distressed Circumstances of the Province."

This adjournment was not the result of a long plan. It was unexpected, even to the House itself. Just before they voted to adjourn, they passed for engrossing a bill that had just come down from the Upper House, quite as if they expected to send the engrossed bill back as they usually did. Nor did the Upper House think the session would end so quickly. On the morning of October 29, the day after the adjournment, Philip Thomas Lee appeared and took his seat and then the house adjourned until 4 o'clock. But by four o'clock the Governor had prorogued the Assembly until November 16, and the session was ended. Because it passed no laws, it was properly not a session but a convention of Assembly.

When the Governor heard, as he did the day it happened, that the Lower House had thought fit to adjourn themselves he was horrified, but he was also honestly bewildered. He sent to their clerk for the votes and proceedings, and next morning called the Council to meet him and advise him. The Council was the Upper House in a different capacity. He told them not only about the unprecedented adjournment but also about the dismissal of Mr. Jonathan Hagar, and asked them what they thought he ought to do. The conduct of the Lower House "was so extraordinary and extravagant, and he really was at a loss" how to preserve the dignity of Government and at the same time to give the House an opportunity to join in the lawmaking process. Should he dissolve them, the necessary election delay would carry the session so far into the winter that attendance would be difficult. Should he prorogue them, he "doubted whether a prorogation would be sufficiently expressive of the resentment of the two other branches of the Legislature to this very extraordinary behaviour of the Lower House." He asked the Council to consider not only the adjournment but also the dismissal of Mr. Hagar, and he said he would be guided by their opinion. Like him, they were aghast at the "unconstitutional and violent conduct" of the other house, and would have preferred a dissolution, but in the interest of expediency, they counselled a prorogation for 15 or 16 days (Appendix II). Thereupon the Governor issued a proclamation proroguing the General Assembly until November 16 next. The Lower House adjournment was to have ended November tenth.

The convention of Assembly that ended so soon and so unexpectedly had been held in the Council chamber and in the house "prepared by Mr. *Joshua Frazier* for the Use of the Publick." The great session of November 16 convened in the same places, and opened in the traditional way. In the light of the Governor's horror at the intemperate behaviour of the Lower House in adjourning without leave or consultation, it is not surprising that his only recommendation to them now was that they attend to the things he had laid before them on the opening in October.

Immediately upon returning to Mr. Frazier's house, the Lower House appointed a committee to draft a bill for the regulation of tobacco and for preventing frauds in his Majesty's Customs. The title of the act which finally passed is the same as that of the bill rejected a little earlier, most of the members of the committee were the same, and, though the text of the abortive bill is not at hand, it was probably the same as that of the act as passed. The committee reported the desired bill the next morning, it was read the first and second time by special order that afternoon and was passed unanimously without a record vote. A resolution of the House directed that it be carried to the Upper House by the Speaker and the whole house, and on the morning of November 18, a scant two days after the opening of the session, "Mr. Speaker attended by all the Members of the Lower House" took it up as directed (pp. 42-43, 86).

This matter of sending the bill up by the Speaker and the House shows the importance the House attached to the bill, and their solidity behind it. The regular practice was to send a communication by two members of the Lower House: if the matter concerned one county, the two chosen were usually from that county's delegates. Sending several members meant that the House was emphasizing the importance of what they had to say; five members, for example, brought up the bill for the regulation of officers' fees (p. 56). Once in a while a bill that touched all parts of the Province was entrusted to a committee of one member from each county. Now the House formally resolved that the Inspection bill be presented by the Speaker and the entire Lower House.

On the morning of November 19, the bill was read the first time in the Upper House, and was laid on the table (p. 43). It occupies thirty-eight pages in the manuscript liber of laws, and forty-two pages here in this volume (pp. 151-192); and it would be interesting to know whether poor Dr. Upton Scott, the clerk of the Upper House, really read the bill entire, or by title only. But at any rate, the Upper House did almost nothing for the next three days except to adjourn and meet again according to adjournment (pp. 42-46). When it did get to work on the huge bill, on November 25, it too, like the Lower House, acted quickly. Unanimously it amended it by removing one warehouse in St. Mary's County, and by limiting the life of the bill to three years instead of the Lower House's fourteen years. The Lower House accepted the amendments (pp. 95-96), the bill was engrossed (p. 97) and sent again to the Upper House with the paper bill thereof by Mr. Wooton and Mr. Veazy (p. 105). On November 30, the Governor passed it into a law in the usual form (p. 107). Although the Upper House had specifically limited the life of the act to three years instead of the fourteen years proposed by the Lower House, and the Lower House had accepted the change, even before the formalities of passage were complete, a bill was introduced and passed easily for the further continuance of the act for regulating the staple of tobacco for a term of twelve years (pp. 77, 81, 150, 269).

The speed with which the Inspection Act of 1773 was passed showed how important the subject was, but it is also true that the real points of difficulty had already been settled before it was introduced. Save for a few details, the

act differed from the act of 1763 that expired in 1770 only in that the pay of the clergy and the fees of officers were divorced from the regulation of tobacco, a critical difference to be sure. All tobacco exported from the Province after January 1, 1774 must be inspected and approved and marked at one of the public warehouses. These 1773 warehouses were in most cases the same as the older ones: the owners of the buildings were obliged to permit their continued use (p. 163), unless they had already converted them to other purposes. Inspectors were provided for, two for most of the houses, one for the smaller ones, and their salaries were set in the law, salaries in tobacco, naturally. They were nominated by the vestries of the parishes in which the houses lay, and were appointed by the Governor. The duty of inspectors was to determine that the tobacco brought before him was sound, well-conditioned merchantable and clear from trash. If it was so adjudged, it was to be weighed and the weight branded on the cask. That done, the inspectors must give the person who brought it in, signed notes for the full quantity, notes that were current and transferable. Long and detailed provisions against forgery were made. Penalty was death without benefit of clergy, and penalty for demanding tobacco on a forged note was thirty-nine lashes on his—or her—bare back and two hours in the pillory. There is an extract from the act in the *Maryland Gazette* for December 9 and 16, 1773. It should be remembered that the "Act for the Regulation of the Staple of Tobacco" was not so much a regulation of an agricultural crop as the regulation of money, and so an absolute necessity to the prosperity of the Province. Tobacco lacked most of the essentials of a good currency, but in the Maryland of that day, currency it was.

The lapse of the Inspection Law in 1770 had made imperative the passage of another law to the same end: it brought up also the question of the incomes of the clergy, for that too had been part of the tobacco act. The act of 1702 for the establishment of the Church of England had provided for the clergy what was usually spoken of as the forty per poll, "a Tax or Assesmt of Forty pounds of Tobo p Poll . . . upon every Taxable Person within each respective Parish wthin this Province." (*Archives*, XXIV, p. 265.) This forty per poll had been cut by the Act of 1747 to thirty per poll, and the continuations of that act had automatically continued that amount. Accordingly then, when the act expired, the clergy had some legal justification for contending that the 1702 provision revived and that they were once more entitled to forty per poll. But the logic of circumstances ran against the logic of law. The argument was advanced that thirty per poll of tobacco inspected and passed would yield the clergy more than they had been getting from forty pounds of poor quality tobacco. Dissenters had never liked having to pay for the support of a church in which they did not believe, and they were increasing in numbers and in strength, especially the Quakers in Anne Arundel and on the Eastern Shore, and the Presbyterians on the lower Eastern Shore. Even within the Church of England, some felt that forty per poll was too much, especially since the parishioners had not a shred of control. Of this, the clergy did not fail to remind them. More than one clergyman, reproached by his vestry, answered in substance that all he was interested in was what the Proprietary thought.

There was a general feeling that the clergy were not so much men of God as men of this world and of a not too good a corner of it, and the feeling had a good deal to go on. In 1766, for instance, the Coventry Parish vestry, on the death of a notoriously bad rector, Nathaniel Whitaker, invited Dr. Thomas Chandler to come there and preach to them, and everyone liked him and tried to get him a permanent induction (*Archives*, XIV, 349, 363-369). But Governor Sharpe, whatever his inclinations were, was bound by the instructions of the Proprietary, and accordingly he inducted the Rev. John Rosse of the neighboring Worcester Parish (*Archives*, XIV, 365-366). When the vigorous protest of the Coventry vestry made the Rev. Mr. Rosse decide to stay where he was, the next choice of the Proprietary was the worldly fighting parson, the Rev. Philip Hughes also of Worcester. Hughes was no better than Whitaker and Rosse, but he had more fighting spirit. He went into Coventry Parish with the legal opinion of the great Daniel Dulany the Younger that he was the only lawful rector. The vestry and the parishioners cared not a whit for the law; they voted not to accept Hughes, and reinforced their feeling with bolts and nails to close the church door against him. But Hughes got in, and was able to make his induction binding in law. Then he persuaded the attorney-general to take the vestry into court as disturbers of the peace (*Archives*, XXXII, 231; XIV, 562-563). Although the unrest died down and Hughes remained, the popular conviction against the Proprietary's clergymen increased, and it was strengthened by the even more unsavory case of the not very Reverend Bennet Allen which occupied so much space in the *Maryland Gazette* during 1768. When the congregation of All Saints at Frederick tried to remove Allen bodily from the pulpit, he held a pistol to the head of the nearest remonstrant, and was thus able to retreat in safety if not in dignity.

The resentment against the poll tax was strengthened by the legal opinions of men like Samuel Chase and William Paca, both of them members of the Lower House of Assembly, that there was no validity to the Act of Establishment of 1702, even though it had been enforced for seventy years. Stimulated by Paca and Chase men began to refuse to pay their poll tax, and clergy incomes dropped. The Lower House resolved, June 19, 1773, that the Act of 1702 had not been legally and constitutionally adopted and was therefore void (*Archives*, LXIII, 347, 370). With more moderation than usual, the Upper House, though repelling the Lower House position, invited a discussion on the subject, and did not shut the door on a moderate bill to cut clergy incomes.

With the Act for regulating the staple of tobacco passed and thus for the present removed from controversy, the Assembly gave its attention to the passing of an act for the support of the clergy. Governor Eden, on December 8, 1773, laid before the Lower House an address, presented to him by a group of clergymen, making several proposals for the settlement of the problem. The signers admitted that sometimes clergy incomes were too large, and suggested several plans to lessen the burden on the taxables (pp. 118-120). The delegates, having thought the matter over for several days, on December 14 rejected all the proposals and re-affirmed their opinion that the Act of 1702 was not constitutionally enacted and was therefore void. But they went on to make

what they considered a competent provision for the support of the clergy in the Province. Later on the same day they resolved that "a Tax of Thirty-two Pounds of Tobacco per Poll be assessed . . . on each Taxable . . . payable in Tobacco at Thirty, or if in Money at Four Shillings Common Currency at the Option of" the taxable, and they set up a committee to prepare and bring in such a bill. Chase and Paca, who had argued against the constitutionality of the Act of 1702, were on the committee (p. 132). The bill was introduced the following day, and the day after that, December 16, it was passed and sent to the Upper House. Here it was passed as quickly as the rules permitted (p. 77) and was sealed by the Governor December 23, the last day of the session. The act, that thus, for a time, settled the old controversy, is short (pp. 254-256). By it, each taxable paid yearly thirty pounds of inspected tobacco in inspector's notes or the gold or silver value of thirty-two pounds of tobacco. The tax was collected by the sheriff of the county, and the proceeds were paid over by him to the incumbents. It was formally provided that the act should not in any way influence the question of the validity of the Act of 1702.

One of the signers of the address presented by the Maryland clergymen was the Rev. Mr. Robert Read, then of St. Paul's Parish, Kent County, who had once been at Coventry and All Hallows, Somerset (Allen: Clergy in Maryland, MHS copy, p. xviii). Immediately upon the passage of the act "For the Support of the Clergy," Read inserted into the *Maryland Gazette* an advertisement that ran for several months.

"Kent county, Jan. 5, 1774.

"The subscriber's salary being lessened in value almost one half by an act passed the last session, for the support of the clergy of the church of England in this province; he finds it necessary for the support of his family and other purposes, to join to his ministerial office some other business. He has therefore opened a grammar school at his house in Kent county, about five miles from Rock-Hall, where gentlemen may have their sons boarded, and taught the latin and greek tongues, and other parts of literature in the best manner, at thirty pounds per annum, and the greatest care taken of them. ROBERT READ."

One more old controversy was settled in this November session: the matter of the salary for the clerk of the Council. For ten years, 1756-1766, the journal of accounts had not been passed and the public creditors had not been paid because of the complete disagreement on the inclusion of the clerk's salary. The Upper House and the Proprietary wanted him paid out of the public treasury, the Lower House as vigorously insisted that, since the Council was the creature of the Proprietary, its clerk should be paid by him. In 1766 a temporizing solution was reached, and bills of credit to the amount of the salary of the Council clerk were to be lodged with the treasurers until the King in Council should decide who should pay it. No decision was given, and in 1773 the matter was still unsettled. When the journal of accounts came up to the Upper House on December 22, it contained no salary for the clerk of the council as such, although the same person, as clerk of the Upper House, was paid therein. The Upper House suggested to the Lower House that there

were omissions in the journal: the Lower House answered that the absence of the Council clerk's salary was no omission and invited the Upper House, if it had any proposal to settle the question, to send it in the form of a message. The Upper House gave in. It proposed that if the disputed salary were included in this journal, it would agree that no future demand for it should be made (pp. 79-80).

For the vigorous old controversy over the fees of officers the Assembly found no solution. In the beginning of the province, the Proprietary had fixed by proclamation the fees incident to the offices which he had an undoubted right to create, but the Assembly soon began to grumble, and, in 1676 they asked for and got a schedule of the fees he had authorized, and enacted it into law. In 1719 the Lower House drew up a schedule of fees, to which the Upper House after conference, agreed, and it became law despite the opposition of the Proprietary, who made but did not carry out a threat of disallowance (*Archives*, XXXIII *passim*). After the expiry of this act, things got worse and worse. The Proprietary in 1733 issued a proclamation to regulate fees, the proclamation that figured so large in the debate forty years later (*Archives*, XXVIII, 31-43). The two houses were unable to agree on a law, so that in fact the proclamation governed the matter until 1747. The great inspection law of that year, which by successive renewals lasted until 1770, joined to the inspection of tobacco the cognate regulation of officers fees, and made what amounted to a cut of twenty per cent in the fees set in 1733 (*Archives*, XLIV, 565, 630-636). When this law was about to expire, the Lower House, convinced that fees were now too large and that many office-holders were exacting fees still higher, made several investigations into the amounts received by the richest officers. As a result they drew up a new and lower table of fees (*Archives*, LXII, pp. 235-350). The Upper House, asked to accept a lowering of the fees to be paid them—most of the Upper House were also holders of the more lucrative offices—, refused to agree. The Assembly was prorogued without action and a week later, the Governor issued a proclamation on fees. He ordered that no officer should charge any higher fees than those allowed in the expired act (*Archives*, LXIII, 109-110, 227; *Maryland Gazette*, December 13, 1770), but of course this was in effect to order them to keep on collecting fees for which the law had expired and which the Assembly had refused to renew. It was for doing just this that the Lower House had thrown William Steuart into the Annapolis jail (*Archives*, LXII, 304-305). For months an animated and acid debate went on, in the *Maryland Gazette* and in the Assembly, but nothing was done to settle the question. In the November 1773 session, when tobacco inspection and fees were separated, a bill to regulate fees was introduced (p. 35) and passed by the Lower House, and the Upper House once more turned it down (p. 116). The same thing happened in the March-April 1774 session, and Maryland went into the Revolution with the matter still unsettled. The dispute was, of course, not in the least over how much the fees should be, but over who should determine that amount. With little exception officers collected the fees set forth in the act expiring in 1770, the fees that the Governor had authorized in his proclamation.

By December 1773, then, most of the major disagreements between the two houses were out of the way. Perhaps the Proprietary had learned a little wisdom, for, of course, what the Upper House and the Governor did was what he bade them do. Governor Sharpe's inclination was to serve the interests of the Province, but Governor Eden, whose inclination was also kindly, was the brother-in-law of Lord Baltimore, and his confidant. He therefore could command the attention of the Proprietary when he favored some yielding to the wishes of the people.

NON-CONTROVERSIAL ACTS

These last Provincial assembly sessions did not devote all their time to squabbling with the Governor and the Upper House. Altogether, in these two sessions—two, because the first meeting here set forth passed no laws—sixty-one statutes were enacted. Many were private acts, passed upon petition and for the benefit of one person or of a small group. There are two sure tests of the privateness of acts. They were not printed in full in Green's session laws, and the beneficiaries had to pay fees to the Speaker and to the clerks of the two houses when they were passed. Local laws concerned and benefitted either a part of the Province or a part of the people in it. Like the private acts, they were passed as a result of petitions, and, also like them, they were referred in the Lower House, to the members from the county they concerned. They might be country poor laws, or school laws or market laws or road laws, or laws to erect a new church or a chapel of ease or to support an organist in a parish that had an organ. And there were non-controversial general laws. They were of interest to all the people, even though they might deal specifically with only one person. The usual law for the encouragement of Anne Catharine Green of the City of Annapolis Printer was one, another prevented infection from the ship *Chance*, then lying in Annapolis harbor with small pox aboard. The Act for the relief of insolvent debtors embodied the principle behind the often-passed laws for the relief of languishing prisoners, and so saved the time and the effort of the Assembly.

The petitions, on which the private laws and some of the local ones were based, were uniformly presented to the Upper House, and, almost as uniformly sent down by them to the Lower House. Once in a while the Upper House rejected a petition, but generally they let the Lower House do it. There were hundreds of petitions presented in these sessions, and many of them were granted, but not one is now known to have been preserved, and very often the only clue to the contents is the preamble to the law wherein the prayer was granted (pp. 197-197, for instance). Martha Roundell and her sisters asked and got permission to divide some land without the concurrence of her husband Samuel "now residing beyond Sea." Executors were allowed to sell part of the estate for the payment of the decedent's debts (pp. 195-197). Several acts permitted the enrollment of deeds technically defective or confirmed titles to land (365, 388-391). John Done, sheriff of Worcester County got an extension of the time within which he could sue for fees due him.

Some of the local laws were, if not controversial, distinctly important.

Three comprehensive poor laws were passed at the instance of the counties concerned; they were for Talbot, St. Mary's and Baltimore Counties. Anne Arundel County had set up a poor house and work house, but had failed to provide funds ready to care for the poor when they were first received (*Archives*, LXIII, 303-304). Now they asked for and got permission to levy ten pounds of tobacco per poll to further the original purpose of the act (pp. 208-209). For the other three counties the system was the same: there was hardly an essential difference in the laws. Five self-perpetuating trustees were chosen (pp. 220, 261, 381) and in each case it happened that at least one of the five was a member of the Upper or Lower House. They were to buy land in the county, not more than 100 acres and put up and equip buildings for an alms house and a work house. The poor were to be received on the direction of any trustee; the rogues, vagrants, vagabonds and beggars were to be committed by a justice of the peace. Every person received must, on penalty of twenty lashes and up to three weeks hard labor, wear on his or her right sleeve a badge. The badge, in red or blue cloth, bore the letter P., for "poor," and the first letter of the name of the county. How long this provision for badges remained in the law is not now known, but in the next general county poor laws, passed in 1785, it is retained word for word (Acts of 1785, c. 15, p. 17; c. 57, sec. 17). No liquor was to be given away or sold on alms house land. Disorderly persons could be committed to the workhouse by a county magistrate, upon complaint, and if the disorderliness persisted, the guilty could receive up to thirty-nine lashes.

Several school laws were passed during this period, and some of them are still important. In theory there was a school in each country since 1723, but most of them were so entirely worthless that they were only the hundred acres of land that the act of 1723 (*Archives*, XXXIV, 740-746) decreed each school should have. Governor Sharpe, who was much interested in education, said in 1763, that there was not in all of Maryland "even one good Grammar school." (*Archives*, XIV, 115.) In 1772 some agitation arose in Southern Maryland for one school to be built in St. Mary's County to serve St. Mary's, Prince George's, Charles and Calvert Counties (*Maryland Gazette*, July 30, November 5, 1772), and in the sessions of June and November 1773 a petition was presented from "sundry Inhabitants of Saint Marys Calvert Charles and Prince Georges Counties for the Erection of a School at the Cool Springs" (p. 42; vol. LXIII, 319). By the time the petition got down to the Lower House, more detail had been added. The schools in those counties, with their lands, were to be sold and that money, with the arrears due the schools, could endow one large school at Cool Springs (pp. 85, 108, 133, 307, 336). Calvert County later dropped out of the plan. The petition was granted April 12, 1774, and a committee composed of all the Prince George's and St. Mary's delegates and one each from Charles and Anne Arundel Counties reported "An Act to unite the Free Schools of St. Mary's Charles and Prince Georges Counties" (p. 344). The act (pp. 377-379) provided for the Charlotte Hall that is still in existence. The school started with the proceeds of the sale of the school lands and with the considerable sums raised by subscription, and it

was supported from public funds. The Rev. Hatch Dent was the first principal.

In Annapolis, King William's School, founded in 1696, had been struggling along ever since then. When in 1730, Benedict Leonard Calvert, Governor of the Province, died, he left to the school property to yield £40 a year. Governor Sharpe and Governor Eden were both interested in education, and recommended to the legislature to give some thought—and some money—to it. Eden in his opening address to the two houses in 1769 wished that "a well founded Provision for a more liberal Institution of Youth may be Established here" (*Archives*, LXII, 4), and when he opened the second meeting and the second session of the 1773 Assembly he expressed a warm wish that "a regular Seminary for our Youth, liberally instituted and supported" be established (pp. 4, 41). For some time there had been agitation that the house begun in 1744, as a residence for Governor Bladen and left unfinished for lack of funds, be finished and used for King William's School. The Lower House passed a bill to that end in 1763, and the Governor and the Upper House were probably sympathetic to the idea, but when Governor Sharpe asked the Proprietary's Secretary, he was told that the Proprietary would not consider the idea for a moment. Support for the college included the tax on ordinary licenses, and the Proprietary was unwilling to admit the right of the Assembly to that money. On October 25, 1771 the Lower House passed a bill declaring that \$42,666 $\frac{2}{3}$ should be appropriated for establishing a seminary of learning, but nothing came of it then. The provision was part of a bill for the emission of bills of credit, and the two houses fell to quarreling over whether it was or was not a money bill and whether the Upper House could amend it and thus the bill did not pass. Apparently the amendment the Upper House wanted would have delayed still longer the establishment of a college (*Archives*, LXIII, 28, 33-34, 35, 127-128, 158, 176).

The Lower House was, however, still possessed of the desire for a seminary of learning, and herein they had the support of Governor Eden. The Governor in his opening address to the Assembly on October 13, 1773 again recommended, as he had in 1769, "the establishment in this Province of a regular Seminary for our youth liberally instituted and supported" (pp. 3-4). Two months later the Lower House got down to the consideration of the idea and again urged that the same sum of \$42,666 $\frac{2}{3}$ be appropriated for the seminary of learning (pp. 112-113). Again the appropriation was not made, but in the March-April 1774 session some action began, and in the Upper House. April 9, leave was given to introduce a bill for King William's School, the bill was immediately introduced, passed and sent to the Lower House (p. 287). It passed the Lower House almost as swiftly and, on April 16, 1774 it was sealed into law by the Governor (293, 294, 301, 328, 344, 346, 348, 360). Briefly, the act provided that the corporation of King William's School might accept gifts given them, up to a total yearly income of £200, and that in the absence of the rector, seven of the governors and visitors might act for the corporation. King William's School could expand a little.

The November session established, at the request of the Baltimore County delegation, the first official Baltimore market. Like most local laws, it began

with a petition, for the petition of sundry inhabitants of Baltimore Town, though it is not at hand, may be presumed to have concerned the market (p. 61). The building had already been erected, on land leased from Thomas Harrison at the north-west corner of Baltimore and Gay Streets, and by another act also passed this session (pp. 207-208), the lease had been confirmed to them as such commissioners. The provisions for the regulation of the market are practically identical with those for the market in Frederick Town, set up in 1770 and renewed now in 1773 (*Archives*, LXII, 438-441; *post*, p. 218). The building was established as the market of Baltimore Town, and with a few exceptions, no victuals or provisions could be offered for sale except at the market and on market days. Fish and oysters, breadstuffs, large amounts of butter, cheese and beef and pork, and live animals were specifically excluded. The market was to be run by a bonded clerk appointed by the town commissioners and given large, definite powers. He had to inspect the quality of all goods, and the accuracy of the weights and measures used by the merchants. He let out the stalls and the butcher shops and even the rooms over the market.

There is in this market act, one incredible provision that does not appear in the Frederick Town market act: "if any Butcher or other Person shall sell or offer for Sale any Meat within the said Market which shall be blown in such Case it shall and may be Lawful for the Clerk of the said Market to seize all such Meat sold or offered for sale in the said Market and the same to Condemn to and *for the Use of the Prisoners confined in Baltimore County Jail* and the Butcher or other Person for every such Offence shall forfeit and pay the Sum of forty Shillings Current Money." The italics are the editor's: any other comment is superfluous.

One of the subjects recommended to the attention of the Assembly in the Governor's opening speech was the "State and condition of the Publick Roads . . . and the general Advantage which will result from opening a communication between our Merchants and distant settlers (pp. 4, 16). As long as the attention of planters was so firmly fixed on tobacco that they grew corn only because the law declared that they must, so long the lack of good roads was not strongly felt. Tobacco went, not up to the towns over roads, but out to England in vessels. But when people began to find the growing of wheat profitable, and when the western part of the Province, which was better adapted to other crops than to tobacco, began to be opened up, especially by the German settlers, then the need of roads became evident. Men on horseback cannot carry much produce over Indian trails. Baltimore County and Frederick County tried to do something toward improving the few poor roads there were. The Governor began to speak of road-building, and the Assembly gave thought to good roads. Numerous petitions were offered, to have roads repaired or altered and new ones laid out (pp. 283, 290, 312, 321, 338, 341). In response to the Governor's speech, the Lower House voted to spend £3000 in repairing, extending and keeping in good order a road from Wills Creek to the nearest point on the Ohio River, and substantially what the Lower House wanted became law (pp. 120-121, 252-253). More attention—and more money—was devoted

to a comprehensive act for the improvement of the roads in Anne-Arundel, Baltimore and Frederick Counties. By order of the Lower House the bill was drafted by the delegates of those three counties alone (p. 324), and during its passage, it received an unusual amount of attention (pp. 338, 340, 341-342). It passed the Lower House easily, 29 to 13, though half of those who drafted it, voted against it and tried to get it postponed to the next session (pp. 342, 348). The Upper House passed it the same day it was sent up to them and the Governor sealed it into law (pp. 295, 302). The Act relating to the Public Roads in Anne Arundel, Baltimore, and Frederick Counties specified what roads should be built and how much money should be spent on each one. For construction and maintenance, the roads were divided into six districts, each with three supervisors. All the roads were "to be well cleared grubbed and stoned forty feet wide except the said Road leading to Annapolis which shall be . . . thirty feet wide" (p. 396).

The roads were paid for out of a special road tax on the taxables of the counties concerned, four pounds in Anne Arundel, twelve pounds in Baltimore and eight pounds in Frederick County. Besides these new or altered roads, provision was made for the upkeep of others in these counties. Every taxable was ordered to work six days a year eight hours a day on road repair and to bring with him his own tools. At the same session, a law was passed for a road from the free school in Somerset County to a point on the main Worcester County road, so that scholars and visitors from Worcester County could get to the school more easily (p. 409). The Eden School, as it was called, was the official free school for both counties.

Since the setting up of the Establishment, every session of the Assembly had seen introduced and passed some law for the benefit of a particular parish. These 1773-1774 session were no exception. All Hallows Parish, Worcester County, asked for and got 45,000 pounds of tobacco for a chapel of ease in the lower part of the parish (p. 371). The parishes were so large and the roads so bad that getting in to Snow Hill Town to attend church was impossible. All Saints Parish Calvert County got 200,000 pounds, spread over three years, for a new church (pp. 370-371). One of the trustees was the rector, the Rev. Thomas John Clagett, later the first Protestant Episcopal Bishop in America. Two others at least had been members of the Lower House. Christ Church Parish, also in Calvert County, had been trying for a year or so to get money to finish their building. In the short October convention of Assembly a bill to that end was passed, but the adjournment and the prorogation of the Assembly had prevented it from becoming law. Now in the November session a bill for them passed the Lower House, only to be defeated in the Upper House (pp. 38, 337, 292, 343). St. Paul's Parish Baltimore County asked for a new church (pp. 57, 111) but it got nowhere, even in the Lower House.

St. Anne's Parish Annapolis was, unofficially, the parish church of the Assembly. The rector and vestry had tried in June 1773 to get a new church building, but their petition was referred to the next session (*Archives*, LXIII, 322, 367, 375), and in the October and the November sessions it was again referred (pp. 36, 111). In the March-April 1774 session, action was taken.

April 8 it was voted to use £1500 of the public money to build a new St. Anne's, of which a part should be assigned to public purposes (pp. 326-327), and a bill was introduced and passed with little delay (pp. 330-331, 287, 301, 372-376). Altogether, with private subscriptions, a levy on the inhabitants of the parish and the subscription by the Assembly, there was at hand about £5500 for the building. Five trustees were appointed, John Ridout of the Upper House and Dr. Upton Scott, its clerk, Samuel Chase and William Paca, members of the Lower House and Mr. Thomas Hyde of Annapolis. They were ordered to have the old small ruinous building pulled down, and to put up the new one "the center whereof shall be in the same place or point where the Center of the same Church is and a Steeple thereto to be Erected" (p. 373). Inside the building, the Governor and the Speaker of the Lower House each had a pew "with suitable Ornaments and decorations," and the members of the two houses had pews behind their leaders. The judges of the Provincial Court had a pew and there was a pew for strangers. The subscribers whose money went into the church had then the right to choose pews for themselves, the largest subscribers having first choice. After that, the pews left, of which there must be at least twenty, were offered for sale to the parishioners. There was a place for non-pewholders, and "some Convenient Place set appart for Servants and another for Slaves that may attend Divine Service" (pp. 375-376).

By 1774, several churches had organs and organists, and for their support the Assembly was petitioned for an assessment of tobacco. Dr. Gustavus Brown gave Port Tobacco Church an organ in 1758 on condition that they employ an organist, and in 1763 the legislature allowed 4 pounds of tobacco per poll for the organist's support (*Archives*, LVIII, 516-517). These acts expired in 1774, but, though the Lower House directed two Charles County delegates to prepare bills for their continuance (p. 333), nothing, apparently, was done. No continuing act appears among the acts passed. King and Queen Parish St. Mary's County were quickly granted the tobacco necessary to maintain the organist they asked for their organ. A St. Mary's County man introduced the bill for an assessment of 5 pounds of tobacco per poll; it was passed (p. 331) without a roll-call vote, passed by the Upper House (p. 288), and passed for engrossing by the Lower House before adjournment on the day it was brought in (pp. 368-369).

Both houses felt the urgent necessity of passing an act for the publication of the laws of the Province. Jonas Green, husband of Anne Catharine, had had three-year acts to publish the laws and to encourage him, and when he died in 1767 there was no disposition to take from his widow the business he had enjoyed. But the excellent and versatile Jonas had offended the Lower House in 1766 (*Archives*, LXI, lxxxiv-lxxxv); and the act of 1768, though it continued Anne Catharine Green in the job, was passed for one year only (*Archives*, LXI, 456). So also were the acts of 1769 (*Archives*, LXII, 159) and 1771 (*Archives*, LXIII, 301-302). There was no act passed during 1770 to cover the year 1771. Perhaps that is one reason why the *Votes and Proceedings* and the session laws are so rare for these years. However that may

be, when the Committee to determine what laws would expire at the end of the session, reported, on November 23, 1773, they underlined the fact that the "law for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Anne Catharine Green" already had expired a year before (p. 91). A bill to continue Mrs. Green was introduced with no haste (p. 140), passed quickly by the Upper House (p. 71) and sealed into law by the Governor December (p. 74). Save for the one year provision it differed little from earlier acts. It did provide for paying her for what she had done since December 1773 despite the failure of the law. Each county had to allow her set sums of tobacco in the annual county levy, and for that tobacco she was obliged to print bind and deliver laws and votes and proceedings to the Governor and the members and clerks of both Houses, and three copies of each to the county clerks for the use of the inhabitants (232-233) Magistrates and judges and courts got copies bound in leather instead of the blue or marbled paper of the others. Mrs. Green had to continue to live in Annapolis, but to compensate her for this restriction, she got an allowance, a smaller one, even when there was no session of assembly. The act had the usual provision for marginal notes, a provision for which modern scholars are most grateful; to have to try to understand the inspection law, for instance, without their guidance would be immeasurably more difficult, if indeed it would be possible. One provision that might be expected is not found: there is no requirement at all for supervision of her work, nor for comparison of it by responsible officers of the government with the originals.

The ship *Chance* Capt. Robert Campbell from London caused excitement in Annapolis in the spring of 1774. Her entry is recorded in the *Maryland Gazette* of March 10, 1774, and the same issue contains an advertisement of what she brought for sale. Her main cargo was indented servants, men and women, who had four or five or six years to serve. Most of them were trained to some trade: there were masons, blacksmiths, sawyers, shoemakers, breeches-makers, farmers, wigmakers and weavers; of the women, some were cooks or sewing women, some had "been accustomed to the farming business," as milking, making butter and cheese, haymaking, reaping, etc. She brought, too, fabrics, from hemp osnabrigs to Manchester velvets, and powder and shot "and two tons of very fine oakum." What perturbed the lawmakers was the fact, exaggerated greatly, that she had disease aboard. It was believed that the disease was putrid fever, or typhus, but the report of the mate (Appendix III) shows that it was less than that. When she put in to Hampton Roads, she got fresh pork, green vegetables and peas. Of these a great soup was made and the soup made everyone ill. The Assembly acted with panicky haste. A bill to prevent infection from the ship *Chance* was introduced, passed, sent to the other house, signed by the Governor and made effective within one day (pp. 279-280, 312, 363-364). The vessel was ordered removed at least a mile from shore, and everyone on her was forbidden to come ashore without the Governor's permit. The sheriff was directed to supply her with necessities and to arrange for a place on shore at a safe distance where she might be moored. By the middle of April the people were recovering, and the vessel was ordered turned over to

Capt. Campbell again. When Dr. Michael Wallace of Annapolis saw her on April 14, he said none were very ill, and all the sick people needed was a change of clothing and removal to shore. He added that the ship was clean and well-provisioned and supplied. She cleared for Falmouth the last of August (*Maryland Gazette*, March 10, September 1, 1774).

This time as usual there was a great flood of petitions from languishing prisoners. Whenever languishing prisoners were spoken of, it meant prisoners for debt: they were always so described, and only they. By an act of 1732 (*Archives*, XXXIX, 130-138), men—and women—in jail for debt were allowed to petition for release therefrom. And petition they did. In these sessions, almost a hundred prisoners, more than half of them from Baltimore County and seven of the lot women, asked their freedom. The petition all said the persons had already been in jail for long periods, that they would willingly give up all their possessions if they could get out, but their creditors refused to consent. Most of the petitions were granted and the petitioners released in an act of Assembly of April 18, 1774. Two or three were dropped because their creditors offered counter petitions or because they were suspected of fraud against their creditors. All were required to deliver up to the sheriff everything they had, and to take oath that they had nothing left, and no claim to anything. All they retained was their working tools and the clothing of the family. In connexion with these people imprisoned for debt, there should be kept in mind the description of the Anne Arundel County jail only a few years earlier. In 1766 a special petition from the prisoners there had led the Lower House committee of grievances to investigate whether things were as bad as the petition claimed they were. The report of the committee was eloquent beyond possibility of improvement: "Your committee in pursuance of the Special Order of your Hon^{ble} House . . . beg leave to Inform your Hon^{ble} House That they have Visited the said Goal and find that the same is kept so filthy and Nasty that it is excessively Nauseous In so much that Your Committee are Apprehensive that the Prisoners are in Great danger from its offensive Stench" (*Archives*, LXI, 27-28). The sheriff of Anne Arundel in 1766 was Joseph Galloway.

For several years now, attempts had been made to relieve the Assembly of the pressure of these petitions and to permit the languishing prisoners to go instead to the courts. In 1765 Parker Selby, then a delegate from Worcester County, later sheriff of that county, introduced a general act for the relief of insolvent debtors, but nothing came of it then. It dragged along for two or three sessions and was defeated in December 1766. Now in October and November 1773 a movement began in the Upper and Lower Houses simultaneously without a petition (pp. 10, 32, 86), and, after much manoeuvring between the houses, a bill was passed, and sealed by the Governor. In the last stages of its passage the Lower House rejected amendments proposed by the Upper House (p. 350), and there is nothing in the record to show that it was sent back to the Upper House, or that the Lower House later changed its mind and accepted the Amendments. But undoubtedly that was done, for the bill entitled "An Act for the Relief of insolvent Debtors" was engrossed and

presented to the Governor and was sealed into law by him (p. 359), and a comparison of the text with the amendments proposed by the Upper House indicates that they were accepted, for they are in the act as passed (pp. 291-292, 414-419).

From now on, any debtor remaining in jail twenty days could petition three justices of the peace for his county for his discharge. And if the justices decided, after a hearing, that his debts were not in excess of £200 sterling, they were directed to set the debtor free. He must, before being freed, surrender to the sheriff everything he owned except his clothing and his tools. The act did not contain one provision that had long been in every act for the relief of languishing prisoners. It did not provide for the sale of the unmarried prisoners for five years to satisfy their debts. But there would be no more languishing prisoners.

During these sessions of Assembly, two new counties were set up out of parts of others. From the beginning of Baltimore County as a county, not later than 1659, it included what is now Harford County, and a great deal more than it now does. As far as is known, Baltimore County was to run from the Patapsco across the Bay and the Susquehanna to the Chester River, and up to the Pennsylvania boundary line. The part east of the Bay was erected into Cecil County in 1674. At that time the county seat of Baltimore County was at old Baltimore on Bush River. Later it was moved south to Joppa, and in 1768 it was once more moved, this time to Baltimore Town (For the migrations of the county seat, see *Md. Hist. Mag.*, vol. I, pp. 3-15, 99-112). The removal to Baltimore Town, in the southernmost part of the county, left the settlers in the northern part very far from the county seat, and without a doubt this feeling of distance fanned the demand for a separate county. November 29, 1773 a petition of a considerable body of the inhabitants of Baltimore County prayed for a division of the said county (p. 48). Petitions for the division of Dorchester and Queen Anne's Counties were introduced the same day, and all were sent down to the Lower House (p. 105). The Baltimore petition was granted at once, and Thomas Cockey Deye, Charles Ridgely and Aquila Hall of Baltimore County and Paca and John Hall of Anne Arundel were directed to draft the necessary bill. It passed the Lower House December 7, the Upper House next day (pp. 59, 118), and was sealed into law by the Governor on December 17, 1773 (p. 72).

Harford County as set up in 1774 had almost the boundaries it has today. Rivers and waterways make the best boundary lines and Harford has water on two and a half sides. Except, of course, for the happily immobile Mason and Dixon line, and in that connexion there is a slight puzzle in the law. By it, the line from the fountain head of the falls of the Gunpowder ran due "north to the Temporary Line of this Province and thence with the Temporary Line to Susquehanna River" (p. 198). But the law was passed in 1774, and the temporary line of 1739 had given place to the Mason and Dixon line in 1769. In that day statutes often contained informalities that would invalidate them now.

Seven commissioners were named in the law, John Paca, John Mathews,

Richard Dallam, Amos Garret and three gentlemen named Hall, Aquila, John of Cranbury and Benedict Edward. Baltimore County delegates in the Lower House continued to sit, representing the county in which they lived, and others were elected to fill the vacancies.

The location of the county seat of Harford continued to plague the inhabitants for ten years. In the statute, the commissioners were directed in the usual way to buy four acres of land in or near Bush Town for the court house and prison, and the justices of Harford County were directed to contract for a place in Bush Town to hold court and keep county records, and one to serve as a jail (p. 199) until the proper court house and prison were built. Because the taxables of what was now Harford County had contributed toward building the new Baltimore County court house, Baltimore County was directed to pay 154,666 pounds of tobacco toward the cost of the Harford County buildings, and the Harford Countians were taxed 200,000 pounds for them. After the court house and prison were built, the name of Bush Town was to be Harford Town. That was the normal procedure in opening a new county. But in this case, something happened. The original act was passed on December 9, 1773: On April 13, 1774 a petition from sundry inhabitants of Harford County for the location of the court house near the centre of the county was read and referred till next session of assembly (but there never was a next session). Immediately thereafter leave was given to introduce a bill "for suspending the Power of the Commissioners for building a Court House" in the county and three of the Harford County delegates were a majority of the committee to draft it (p. 339). One of the three, Richard Dallam, was also one of the commissioners whose power was thus to be suspended. The bill was passed without incident, and it cancelled not only the power of the Commissioners to erect the court house and prison, but also any contracts to that end which they had already made. For the remainder of the stay of the county seat at Bush Town, the court met and the prisoners were kept in rented buildings.

In January 1782 an act of the state legislature provided that an election be held to determine where the county buildings should be put. The places to be voted for were named in the act: Harford Town or Bush, Otter Point, otherwise Gravelly Hill, Churchville and Aquila Scott's Old Field now called Bel Air (Session laws, Nov. 1781, c. 10). Bel Air won, and April 27, 1782 Aquila Scott conveyed to the county two and five-eighths acres of land for the court house and prison. The lot thus bought was that on which the present court house and jail now stand, but they were not erected at once. Feeling was running high, and the sheriffs and the commissioners named in the act of 1773 refused to pay over the money they had collected, until an act of the legislature empowered the justices of Harford to use the resources of law to collect it from them (Session laws, 1784, c. 10). Opposition to Bel Air remained alive and led to still another act of the legislature (Session laws, 1786, c. 24). This time the vote was by law limited to Bel Air and Havre de Grace, and when Bel Air won, the prison and court house were in due course erected there.

The same session of the assembly that created Harford County also created Caroline County, out of parts of Queen Anne's and Dorchester. An attempt to join the upper parts of these two counties into a new one to be called Prince William's County had been made in 1745. Both houses passed the act, but the governor, bound by his instructions, could not sign it until the Lord Proprietary's pleasure was known; and Prince William's County never was set up (*Archives*, XXVIII, 46, 47, 56, 188-190). Now, thirty years later, petitions from both counties asked the creation of a new one, but did not specify the name. The petitions were granted and a committee made up of the delegates of the two counties, with Paca and Johnson of Anne Arundel drafted the act. In less than a month, and with little investigation, the necessary act was passed into law in the usual manner, and Caroline County began to conduce greatly to the ease and convenience of its people. The boundaries as set in the act gave Caroline County a good slice of what was not Maryland, but Delaware. Cannon's Ferry, one of its boundary points, is several miles inside the Delaware border. The act that set up Caroline differed in no essential from the Harford County act, and there is the added similarity that Caroline, like Harford, had trouble in locating the court house. The act provided, presumably in accordance with local wishes, that the county seat should be set up on four acres of land at or near Pig Point on the east side of Choptank River, and that its name should be Eden Town. Now the name is Denton. However, in 1786, petitions and counter petitions prayed different locations, and so the legislature suspended the erection of the buildings pending an election. The election in 1789 settled it that the county seat should be at Pig Point as the first law had decreed. But court was held at Melvill's or Melvin's Warehouse until 1791 and the court house and jail were not finished until some time in 1794.

The erection of a lighthouse on Cape Henry the Governor had been recommending to the Assembly since 1758 (*Archives*, LVI, 54, III, 112, 125, 126). The movement started with the Lords of Trade and Plantations, and their pressure on the Lord Proprietary, though the idea was so natural as to seem inevitable some time. The legislature put off the project then, and nothing further was done on it by Maryland for ten years. In 1767, a letter from the Virginia Lower House to the Maryland Lower House revived the matter and enclosed a copy of the proposed act of Virginia (*Archives*, LXI, 334, 402). Again Maryland took no action for five years. Governor Eden recommended it again on October 2, and October 16, 1771 (*Archives*, LXIII, 4, 77, 107). When he brought it up in his opening message on October 13, 1773, he added the information that the Virginia Assembly had passed two acts for the building of the lighthouse, and this time the Maryland Lower House roused itself to action. December 7, 1773 they considered that part of the Governor's speech and ordered a bill for erecting a lighthouse on Cape Henry to be brought in (p. 115). This was done in a week or so (p. 138), the bill was passed and it passed the Upper House ((pp. 75, 147), and became law. Virginia had appropriated £6000 current money of Virginia for a good and substantial lighthouse,

and had provided for a tax to repay the grant and maintain the lighthouse. Maryland authorized the Virginia managers to draw from the Maryland treasury three fifths as much as they drew from their own to a total of not more than £3600. To raise this sum, a tax of four pence per ton was laid on all vessels coming into Maryland. After the costs of building the lighthouse were met, the tax for maintenance dropped to one and a half pence per ton (pp. 256-259).

PROCEEDINGS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Meeting Held at Annapolis, October 13-29, 1773.

Being the Second Meeting of the Assembly

Elected in May, 1773.

THE RIGHT HONOURABLE HENRY HARFORD,
Lord Proprietary.

ROBERT EDEN,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Convention of Assembly, begun and held at the City of Annapolis, on Wednesday the 13.th day of October, in the Third Year of the Dominion of the Right Honourable Henry Harford Esq.^r, Anno Domini 1773.

U. H. J.
Liber No. 36
1773
Oct. 13
p. 680

Were Present

His Excellency Robert Eden Esq.^r Governor.

The Honble	{	Benedict Calvert Esq. ^r
		Daniel Dulany Esq. ^r
		John Ridout Esq. ^r
		George Steuart Esq. ^r
		William Fitzhugh Esq. ^r
		Daniel of S. ^t Tho. ^s Jenifer Esq. ^r
		George Plater Esq. ^r

Mess.^{rs} Paca and Lloyd from the Lower House, acquaint His Excellency, that there are a sufficient number of Members met to make an House, and wait His Excellency's Commands.

Benedict Calvert and John Ridout Esquires are sent to acquaint the Members of the Lower House, that His Excellency requires their Attendance in the Upper House, immediately.

The Lower House attend, and His Excellency is pleased to make the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly.

Presuming this to be a Season convenient for a longer Session than the last, I shall recommend to your Consideration, sundry matters that appear to me necessary, and likely to be conducive to the general Welfare.

In a former Session, I recommended joining with our Sister Colony of Virginia in the erection and support of a Light House on Cape Henry, and you seemed convinced of the necessity and utility thereof: it is my duty now to inform you, that two Acts of Assembly have been passed there, to carry this very important object into execution; copies of these Acts, and the Proceedings subsequent thereto, shall be laid before you.

p. 681

Permit me to recommend to your reflections the extensive utility which cannot fail to flow from an establishment in this Province

U. H. J. of a regular Seminary for our Youth, liberally instituted and supported, and to express my warmest wishes that it may engage your Peculiar attention.
 Liber No. 36
 Oct. 13

The frequent vexatious and expensive Law Suits concerning the Boundaries of Land, occasioned by the variation of the Compass, have been already severely felt, and, unless some remedy be applied, must increase; wherefore I hope you will maturely consider the nature and degree of this mischief, and put an effectual stop to it by prudent Provisions.

The State and condition of the Publick Roads, the defects of the present Laws for keeping them in Repair, and the general Advantage which will result from opening a communication between our Merchants and distant settlers, deserve your attention. And I have experienced so much inconvenience from the want of a precise rule, by which the extent and Proper application of the penal Statutes of England maybe sufficiently ascertained, that I must, again, earnestly recommend this topick to your consideration.

p. 682 It will give me great pleasure to co-operate with you in ordaining such Laws as may be conducive to the welfare of this Province, as well in respect of the Subjects I have taken the Liberty to mention as of any other that may occur.

Adjourned until Four of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Mess.^{rs} Thomas and Hammond, from the Lower House, bring up the following Message.

By the Lower House of Assembly October 13.th 1773.

May it please your Honours.

This House hath appointed from Nine o Clock in the Morning until One in the Afternoon, and From three till Five, for its sitting every day, during this Session, for the dispatch of the Publick Business.

Signed by Order Jn.^o Duckett Cl. Lo. Ho.

Mess.^{rs} Beall and Turbutt Wright, from the Lower House, bring up the following Message.

By the Lower House of Assembly October 13.th 1773.

May it please your Honours.

This House hath appointed Mess.^{rs} Worthington, Beall, T. Wright, Key and Bond to join one or more of the Members of your House,

as a Committee, to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit.

U. H. J.
Liber No. 36
Oct. 13

Signed by Order. Jn.^o Duckett Cl. Lo. Ho.

The following Message is sent to the Lower House by Daniel of Saint Thomas Jenifer Esq.^r

By the Upper House of Assembly October 13:th 1773. p. 683
Gentlemen

This House hath appointed Benedict Calvert, and Daniel of Saint Thomas Jenifer Esq.^{rs}, to join the Members named by your House in a Committee to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit.

Signed by Order U Scott Clk. Up. Ho.

Ordered that Daniel Dulany and John Ridout Esq.^{rs} be a Committee to Prepare an Address in Answer to His Excellencys Speech.

Adjourned until to Morrow Morning Ten of the Clock.

Thursday Morning 14.th October 1773.

Oct. 14

The House met again according to Adjournment.

Present as Yesterday.

Adjourned until Three of the Clock in the Afternoon.

Eodem Die Post Merediem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until to Morrow Morning Ten of the Clock.

Friday Morning 15.th October 1773.

Oct. 15

The House met again according to Adjournment.

Present as Yesterday.

The Committee, appointed to Prepare an Address in Answer to his Excellencys Speech, bring in the following.

To His Excellency Robert Eden Esq.^r Governor and Commander in Chief, in, and over the Province of Maryland.

The humble Address of the Upper House of Assembly.

May it please your Excellency.

We, his Majesty's most dutiful and loyal Subjects, the Upper House of Assembly, beg your Excellency's acceptance of our hearty

p. 684

U. H. J. Thanks for convening the general Assembly at this Season, and for
 Liber No. 36 the Speech you were pleased to make to both Houses at the opening
 Oct. 15 of the Session.

The several Matters you have now recommended to our attention, are, we think, of great importance, and as such, will, we flatter ourselves, be, by both Houses, taken into serious consideration.

We thank you, Sir, for the kind assurance you give us, that you shall with the greatest Pleasure co-operate with the other branches of the Legislature in ordaining such Laws as may be conducive to the welfare of Maryland; confident we are that nothing will ever be wanting on your Excellencys part to render this Province flourishing and happy, and you may always depend upon the readiness of this House to concur in every measure likely to promote the true Interest of our Country. which was Read and ordered to be Engrossed.

The Engrossed Address, being prepared, was Read and Assented to, and Signed by Order of the House by the Honourable Benedict Calvert Esquire.

Ordered that Benedict Calvert Esq.^r, attended by the whole House, do present the said Address to his Excellency which was presented accordingly.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

His Excellency is pleased to communicate to this House the following Message in Answer to the Address.

p. 685 Gentlemen of the Upper House.

I return you my hearty Thanks for your very obliging Address, and cannot entertain the least doubt of your cordially joining with the other House, with regard to these important Subjects recommended by me to your Attention.

I am happy in the assurances you give me of your Opinion, that nothing will be wanting on my Part to render this Province flourishing and happy. The ready concurrence of the Upper House, which I have ever experienced, on all occasions, and every measure that could tend to promote the same, merits my Confidence, and is an agreeable Testimony of their Approbation of my past Conduct.

15.th October 1773.

Robert Eden

Resolved, that this House will take into Consideration the Petition of George Fraser Hawkins, on Wednesday next, being the 20.th Ins.^t at Ten of the Clock in the Morning

Ordered that the Clerk of this House give Notice of the said

Resolution to M.^r Allen Bowie, that he may then attend to shew Cause, if any he hath, why the Prayer of the said Petition shall not be granted. U. H. J.
Liber No. 36
Oct. 15

Adjourned until to Morrow Morning Ten of the Clock.

Saturday Morning 16.th October 1773.

Oct. 16

The House met again according to Adjournment.

Present as Yesterday.

Adjourned until Monday Morning Ten of the Clock.

Monday Morning 18.th October 1773.

Oct. 18

The House met again according to Adjournment

Present.

p. 686

The Honble {	Benedict Calvert Esq. ^r
	Daniel Dulany Esq. ^r
	John Ridout Esq. ^r
	George Steuart Esq. ^r
	William Fitzhugh Esq. ^r
	Daniel of Saint Thomas Jenifer Esq. ^r
	George Plater Esq. ^r

Adjourned until to Morrow Morning Ten of the Clock.

Tuesday Morning 19.th October 1773.

Oct. 19

The House met again according to Adjournment.

Present as Yesterday

Mess.^{rs} Griffith and Hyland bring up a Bill, entitled "An Act to explain an Act, relating to Leases made by the Rector Vestrymen and Church Wardens of Saint Annes Parish." Read the first and second Time in the Lower House and will Pass, which was Read the first Time in this House and ordered to lie on the Table.

Read, and referred to the consideration of the Lower House of Assembly, the Petition of Ann Arnold Key, the Petition of Martha Roundell and others, the Petition of Michael Tom, William Gaither and Elizabeth his Wife, The Petition of sundry Inhabitants of Conegocheague Settlement, The Petition of sundry Inhabitants of Saint Marys County, against the Removal of Chaptico Warehouse as also, the Petitions of sundry Inhabitants of All Hallows and Coventry Parishes, for the Erecting of Chapels of Ease in the said Parishes.

U. H. J. These Petitions were severally Endorsed, and sent to the Lower
 Liber No. 36 House by George Steuart Esq.^r
 Oct. 19

Read and rejected the Petitions of the Reverend John Eversfield,
 and William Woodward.

Adjourned until Three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

p. 687 Adjourned until to Morrow Morning Ten of the Clock.

Oct. 20

Wednesday Morning 20.th October 1773.

The House met again according to Adjournment.

Present as Yesterday.

The Order of the Day, for taking into Consideration the Petition
 of George Fraser Hawkins, being Read, the Consideration thereof
 is referred to Wednesday the 17.th Instant; it appearing to this House
 that Allen Bowie, being indisposed, is not able to attend, in order
 to make his Objections to the said Petition.

Ordered that the Clerk of this House give the said Allen Bowie
 Notice thereof.

Read and rejected the Petition of Billey Nanticoke, and others
 of the Tribe of Nanticoke Indians.

Adjourned until Three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Mess.^{rs} Chaille and Holland bring up a Bill, entitled "An Act to
 empower the Justices of Worcester County, to levy on the Taxable
 Inhabitants of All Hallows Parish, in said County, the Quantity
 of Forty five Thousand Pounds of Tobacco, for the uses therein
 mentioned;" Read the first and second Time in the Lower House
 and will Pass, which was Read the first Time in this House, and
 ordered to lie on the Table.

Read the second Time, in this House, the Bill, entitled "An Act
 to explain an Act, relating to Leases, made by the Rector Vestrymen
 and Church Warden's of Saint Annes Parish." and will Pass. So
 Endorsed and sent to the Lower House by George Plater Esquire.

Adjourned until to Morrow Morning Ten of the Clock.

Thursday Morning 21.st October 1773.

The House met again according to Adjournment

Present as Yesterday

Read the Second Time, in this House the Bill, entitled "An Act to empower the Justices of Worcester County, to levy on the Taxable Inhabitants of All Hallows Parish in said County the Quantity of Forty five Thousand Pounds of Tobacco for the uses therein mentioned." and will Pass with the following Amendment; Viz.^t Leave out the words "*Persons acting as.*" in the last Line of the first Page, So Endorsed and sent to the Lower House by John Ridout Esq.^r

Read, and referred to the Consideration of the Lower House of Assembly, the Petition of Edward Smoot, the Petition of William Venables, and the Petition of sundry Inhabitants of Saint Marys County for a Warehouse at Fenwickes Point— These Petitions were severally endorsed, and sent to the Lower House by John Ridout Esq

Resolved, that this House will take into Consideration the Petition of John Chalmers and others, Praying an Act may be passed to enable the said John Chalmers to Sell a Lott, N.^o 78, in Baltimore Town, for the Payment of his Fathers Debts." on Thursday the 28.th Ins.^t and Ordered that the Clerk of this House give Notice of the above Resolution to M.^r Robert Alexander, and John Moore of Baltimore County.

Adjourned until Three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until to Morrow Morning Ten of the Clock.

Friday Morning 22.nd October 1773.

Oct. 22

The House met again according to Adjournment.

Present as Yesterday, except William Fitzhugh Esq.^r

Read, and referred to the Consideration of the Lower House of Assembly, the Petition of Mary Worthington, as also the Petition of Charles Ridgely and others— These two Petitions were severally Endorsed and sent to the Lower House by John Ridout Esq.^r p. 689

Adjourned until Three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning, and William Hayward Esq.

U. H. J. Mess.^{rs} John Hall and Turbutt Wright bring up a Bill, entitled.
 Liber No. 36 "An Act for the Regulation of the Staple of Tobacco, and pre-
 Oct. 22 venting Frauds in His Majesty's Customs." Read the first and
 second Time in the Lower House and will Pass, which was Read
 the first Time in this House and ordered to lie on the Table.

Adjourned until to Morrow Morning Ten of the Clock

Oct. 23 Saturday Morning 23.^d October 1773.

The House met again according to Adjournment.

Present as Yesterday.

Mess.^{rs} Wootton and Beatty bring up a Bill, entitled "An Act
 for quieting sundry the Inhabitants of Frederick County in their
 Possessions." Read the first and second Time in the Lower House,
 and will Pass, which was Read the first Time in this House, and
 ordered to lie on the Table.

On Motion, leave is given to bring in a Bill entitled "An Act for
 the Relief of Insolvent Debtors, and other Prisoners." which being
 brought in immediately, was Read the first Time in this House, and
 Ordered to lie on the Table.

Adjourned until Monday Morning Ten of the Clock.

Oct. 25 Monday Morning 25.th October 1773.

p. 690 The House met again according to Adjournment

Present.

The Honble	{	Bened ^t : Calvert Esq. ^r
		Daniel Dulany Esq. ^r
		John Ridout Esq. ^r
		George Steuart Esq. ^r
		William Fitzhugh Esq. ^r
		William Hayward Esq. ^r
		Daniel of S. ^t Tho. ^s Jenifer Esq. ^r
		George Plater Esq. ^r

Read the second Time in this House, the Bill, entitled "An Act
 for the Relief of Insolvent Debtors, and other Prisoners," as also
 a Bill entitled "An Act for quieting sundry the Inhabitants of Fred-
 erick County in their Possessions." and will Pass; these two Bills
 were severally endorsed, and sent to the Lower House by William
 Fitzhugh Esquire.

On Motion, Leave is given to bring in a Bill, entitled "An Act
 for the Amendment of the Law" which being brought in imme-

diately, was Read the first and second Time by an especial Order in this House, and will Pass— So Endorsed and sent to the Lower House by Daniel Dulany Esq.^r

U. H. J.
Liber No. 36
Oct. 25

Adjourned until Three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until to Morrow Morning Ten of the Clock.

Tuesday Morning 26.th of October 1773.

Oct. 26

The House met again according to Adjournment.

Present as Yesterday.

Read, and referred to the Consideration of the Lower House of Assembly, the Petition of sundry Inhabitants of Prince Georges County. So Endorsed and sent to the Lower House by William Hayward Esq.^r

Adjourned until Three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

p. 691

Present as in the Morning.

Mess.^{rs} Tolley and Hyland bring up an Engrossed Bill, entitled “An Act to explain an Act, relating to Leases made by the Rector Vestrymen and Church Wardens of Saint Anns Parish.”

Read and Assented to by the Lower House of Assembly, which was Read and Assented to by this House, and ordered to be so Subscribed; the Paper Bill so Endorsed is sent to the Lower House by William Hayward Esquire.

Read, and referred to the Consideration of the Lower House of Assembly, the Petition of sundry Inhabitants of Worcester County. So Endorsed and sent by William Hayward Esq.^r

Adjourned until to Morrow Morning Ten of the Clock.

Wednesday Morning 27.th October 1773.

Oct. 27

The House met again according to Adjournment.

Present as Yesterday.

Read and referred to the Consideration of the Lower House of Assembly, the Petition of the Vestrymen and Church Wardens of Stepney Parish— So Endorsed and sent by William Hayward Esq.^r

U. H. J. Mess.^{rs} Griffith and Beatty bring up an Engrossed Bill, entitled
 Liber No. 36 "An Act for quieting sundry the Inhabitants of Frederick County
 Oct. 27 in their Possessions."— Read and Assented to by the Lower House
 of Assembly, which was Read and Assented to by this House, and
 ordered to be so Subscribed; the Paper Bill so Endorsed is sent
 to the Lower House by Daniel Dulany Esq.^r

Adjourned until to Morrow Morning Ten of the Clock.

Oct. 28

Thursday Morning 28.th October 1773.

The House met again according to Adjournment.

The House met again according to Adjournment.

Present as Yesterday, except Daniel of S.^t Tho.^s Jenifer Esq.^r

p. 692 The Honourable Benjamin Ogle Esq.^r appeared and took his Seat
 as a Member of this House.

Mess.^{rs} Sim and Somerville Bring up the Bill, entitled "An Act
 for the relief of insolvent Debtors, and other Prisoners." Endorsed,
 By the Lower House of Assembly October 28.th 1773. Read the
 second Time and will not Pass,

Signed by Order Jn.^o Duckett Cl. Lo. Ho.

Mess.^{rs} Sim and Somerville bring up a Bill, entitled "An Act to
 enable Martha Roundell, and others, to make Partition of the Land
 therein mentioned." Read the first and second Time in the Lower
 House and will Pass— which was Read the first Time in this House
 and Ordered to lie on the Table.

Mess.^{rs} Sim and Somerville bring up a Bill, entitled "A Supple-
 ment to the Act, entitled An Act for the building of a Parish
 Church in Christ Church Parish in Calvert County." Read the first
 and second Time in the Lower House and will Pass, which was
 Read the first and second Time, by an especial Order, in this House,
 and will Pass; So Endorsed, and sent to the Lower House by Daniel
 Dulany Esq

Read the second Time, in this House, a Bill, entitled "An Act for
 the Regulation of the Staple of Tobacco, and for preventing Frauds
 in his Majestys Customs" and will not pass, So Endorsed and
 sent to the Lower House together with the following Message by
 George Steuart Esquire.

By the Upper House of Assembly 28.th October 1773.

Gentlemen

We return the Bill, intituled "An Act for the Regulation of the
 Staple of Tobacco and for preventing Frauds in his Majestys Cust-
 oms," with our Negative; but should you think proper to include
 the Clergy in it, according to the Terms of the late Inspection Act,

with respect to the present Incumbents, and make a Provision, giving an Alternative to all Persons to Pay the Clergy in Tobacco or Money at the rate of four Shillings common Money for every Taxable in each Parish, on the Death or Removal of the present Incumbent, and also to include the Officers and Lawyers according to the Regulation of the late Inspection Act, with this Difference or Variation, that all Persons may elect to Pay the Fees in Tobacco or Money after the rate of twelve Shillings and six pence Currency for 100^{lb} of Tobacco, we shall be ready to resume the Consideration of the Bill, and contribute all in our Power towards perfecting and establishing a Law of so much consequence to the Credit of our Staple of Tobacco, and to the peace and Tranquillity of this Province.

U. H. J.
Liber No. 36
Oct. 28
p. 693

Signed by Order U Scott Cl. Up. Ho.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem.

The House met again according to Adjournment.

Present as in the Morning.

Adjourned until to Morrow Morning Ten of the Clock.

Friday Morning 29.th October 1773.

Oct. 29

The House met again according to Adjournment.

Present as Yesterday.

Philip Thomas Lee Esq.^r appeared and took his Seat as a Member of this House.

Adjourned until four of the Clock in the Afternoon.

His Excellency the Governor, by his Proclamation, bearing date at the City of Annapolis this Day, Prorogued the present General Assembly to Tuesday the sixteenth day of November next.

p. 694

Thus ends this Convention of Assembly, begun and held at the City of Annapolis, on Wednesday the Thirteenth day of October, ending the Twenty ninth day of the same Month, in the Third Year of the Dominion of the Right Honourable Henry Harford Esq.^r Anno Domini 1773.

U Scott Cl. Up. Ho.

VOTES AND PROCEEDINGS
OF THE
LOWER HOUSE OF ASSEMBLY
OF THE
PROVINCE OF MARYLAND
OCTOBER MEETING, 1773.

Being the SECOND MEETING of this ASSEMBLY.

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Proceedings
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printed by
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1773
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p. [29]*

A T a Meeting of Assembly at the City of *Annapolis*, on Wednesday the 13th Day of *October*, in the Year of our Lord One Thousand Seven Hundred and Seventy-three, and in the Third Year of the Dominion of the Right Honourable HENRY HARFORD, Esq; absolute Lord and Proprietary of the Province of *Maryland*, (his Excellency ROBERT EDEN, Esq; being Governor) the following Delegates appeared in the Lower House of Assembly, *viz.*

The Honourable MATTHEW TILGHMAN, Esq; Speaker.

For St. MARY's County.

Mr. THOMAS BOND,
Mr. RICHARD BARNES,
Mr. PHILIP KEY.

For KENT County.

Mr. JOHN MAXWELL.

*For ANNE-ARUNDEL
County.*

Mr. BRICE T. B. WORTHINGTON,
Mr. THOMAS JOHNSON,
Mr. SAMUEL CHASE,
Mr. JOHN HALL.

For CALVERT County.

Mr. JOHN WEEMS,
Mr. WILLIAM LYLES,
Mr. RICHARD PARRAN.

For DORCHESTER County.

Mr. THOMAS WHITE.

For CÆCIL County.

Mr. WILLIAM WARD,
Mr. JOHN VEAZY,
Mr. JOSEPH GILPIN,
Mr. STEPHEN HYLAND.

*For PRINCE GEORGE'S
County.*

Mr. JOSIAS BEALL,
Mr. ROBERT TYLER,
Mr. JOSEPH SIM.

For QUEEN-ANNE's County.

Mr. TURBUTT WRIGHT.

For the City of ANNAPOLIS.

Mr. WILLIAM PACA,
Mr. MATTHIAS HAMMOND.

<i>For CHARLES County.</i>	<i>For WORCESTER County.</i>	<i>Votes and Proceedings of the Lower House, printed by A. C. Green Oct. 13</i>
Mr. ROBERT HENLY COURTS.	Mr. PETER CHAILLE,	
	Mr. NEHEMIAH HOLLAND,	
	Mr. WILLIAM PURNELL.	
<i>For TALBOT County.</i>		
Mr. JAMES LLOYD CHAMBER- LAINE,	<i>For FREDERICK County.</i>	
Mr. NICHOLAS THOMAS,	Mr. THOMAS SPRIGG WOOTTON,	
Mr. EDWARD LLOYD.	Mr. HENRY GRIFFITH,	
	Mr. JONATHAN HAGAR.	

A sufficient Number of Members to compose a House being convened at the House prepared by Mr. *Joshua Frazier* for the Use of the Publick: ORDERED, That Mr. Paca, and Mr. Lloyd, do acquaint his Excellency the Governor therewith. They return, and acquaint Mr. Speaker they delivered the Message.

Benedict Calvert and *John Ridout*, Esquires, from the Upper House, acquaint Mr. Speaker that the Governor requires the Attendance of the Members of the Lower House immediately in the Council Chamber. p. 30

Mr. Speaker left the Chair, and, attended by the Members of the Lower House, went to the Council Chamber, where his Excellency made the following Speech, *viz.*

Gentlemen of the Upper and Lower Houses of Assembly.

PRESUMING this to be a Season convenient for a longer Session than the last, I shall recommend to your Consideration sundry Matters that appear to me necessary and likely to be conducive to the general Welfare.

In a former Session I recommended joining with our Sister Colony of *Virginia* in the Erection and Support of a Light House on *Cape Henry*, and you seemed convinced of the Necessity and Utility thereof. It is my Duty now to inform you, that Two Acts of Assembly have been passed there, to carry this very important Object into Execution; Copies of these Acts, and the Proceedings subsequent thereto, shall be laid before you.

Permit me to recommend to your Reflections, the extensive Utility which cannot fail to flow from an Establishment, in this Province, of a regular Seminary for our Youth, liberally instituted and supported, and to express my warmest Wishes that it may engage your peculiar Attention.

The frequent vexatious and expensive Law Suits, concerning the Boundaries of Land, occasioned by the Variation of the Compass, have been already severely felt, and unless some Remedy be applied, must increase; wherefore I hope you will maturely consider the Na-

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ture and Degree of this Mischief, and put an effectual Stop to it by prudent Provisions.

The State and Condition of our publick Roads, the Defects of the present Laws for keeping them in Repair, and the general Advantage which will result from opening a Communication between our Merchants and distant Settlers, deserve your Attention: And I have experienced so much Inconvenience, from the Want of a precise Rule, by which the Extent and proper Application of the penal Statutes of *England* may be sufficiently ascertained, that I must again earnestly recommend this Topick to your Consideration.

It will give me great Pleasure to co-operate with you in ordaining such Laws as may be conducive to the Welfare of this Province, as well in respect of the Subjects I have taken the Liberty to mention, as of any other that may occur.

Mr. Speaker, attended by the Members of the Lower House, returned. Mr. Speaker resumed the Chair.

ORDERED, That the Governor's Speech, a Copy of which was delivered to Mr. Speaker, be read; and the same was read accordingly.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

RESOLVED, That the Hours for sitting for Dispatch of the publick Business, during this Session, be from Nine o'Clock in the Morning, until One in the Afternoon: and from Three till Five.

ORDERED, That a Message be prepared to the Upper House, acquainting them therewith.

The following Message, *viz.*

By the LOWER HOUSE of ASSEMBLY, October 13, 1773.

May it please your HONOURS,

THIS House hath appointed from Nine o'Clock in the Morning until One in the Afternoon, and from Three till Five, for it's sitting every Day during this Session, for the Dispatch of the publick Business.

Signed by Order, JOHN DUCKETT, Cl. Lo. Ho.

Was sent to the Upper House by Mr. *Thomas* and Mr. *Hammond*.

They return and acquaint Mr. Speaker they delivered their Message.

ORDERED, That the Rules of last Session, be observed this Session. The following Resolve.

RESOLVED *by the House*, That the Members who shall be appointed as Members of the Committee of Aggrievances, have likewise the Character of a Committee for Courts of Justice; and that

that Character, and the Duty of such Committee, be annexed to the said Committee of Aggrievances, as a standing Part of their Duty: And, that it be an Instruction to the said Committee of Courts of Justice, that they observe the Nature of all the Commissions to the several Courts of Judicature within this Province; and that they especially observe any Alterations that may at any Time happen, by accidental Omission or otherwise therein, and particularly relating to such Words therein, as require the several Judges and Justices to hear, try and determine, according to the Laws, Statutes, Ordinances, and reasonable Customs of *England*, and of this Province, or to such other Words as have Relation thereto; and that they shall immediately make Report to the House, of any Alteration that shall at any Time happen in such Commission; and likewise to have Regard, as near as may be, to observe wherein they differ from the forms of the several Sorts of Commissions to the Judges and Justices in *England*; and that also, to enquire and report, whether it appears that the several Magistrates in this Province have been duly qualified agreeable to Law. That it also be the Duty of the said Committee particularly to enquire into the Nature of all Commissions issued by Government to the several Officers in this Province and make Report thereof to the House. Was read and unanimously approved of.

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ORDERED, That Mr. *Turbutt Wright*, Mr. *Hammond*, Mr. *Chase*, Mr. *John Hall*, and Mr. *Johnson*, be a Committee of Elections and Privileges. Mr. *Beall*, Mr. *Tyler*, Mr. *Worthington*, Mr. *Johnson*, Mr. *Chamberlaine*, Mr. *Paca*, Mr. *Thomas*, and Mr. *Lloyd* a Committee of Grievances and Courts of Justice. Mr. *Chamberlaine*, Mr. *Sim*, Mr. *Barnes*, Mr. *Wootton*, Mr. *Veazy*, and Mr. *Griffith* a Committee of Accounts.

Mr. *Worthington*, Mr. *Beall*, Mr. *T. Wright*, Mr. *Key*, and Mr. *Bond* a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

ORDERED, That a Message be prepared to the Upper House acquainting them therewith.

ORDERED, That Mr. *Tyler*, Mr. *Thomas*, Mr. *Griffith*, Mr. *J. Hall*, and Mr. *Wotton* be a Committee to inspect into the several publick offices and report to the House the State and Condition of them.

The following Message, *viz.*

By the LOWER HOUSE of ASSEMBLY, October 13, 1773.

May it please your HONOURS,

THIS House hath appointed Messrs. *Worthington*, *Beall*, *T. Wright*, *Key*, and *Bond*, to join One or more of the Members of your House, as a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

Signed by Order, JOHN DUCKETT, Cl. Lo. Ho.

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Was sent to the Upper House by Mr. *Beall* and Mr. *T. Wright*. They return and acquaint Mr. Speaker they delivered their Message.

ORDERED, That the Governor's Speech be read a Second Time; and it was read accordingly.

ORDERED, That Mr. *Chase*, Mr. *Johnson*, Mr. *Paca*, Mr. *J. Hall*, Mr. *Lloyd*, and Mr. *Chamberlaine*, do prepare and bring in an Address to his Excellency in answer to his Speech.

Mr. Speaker lays before the House a Letter from the Honourable *Thomas Cushing*, Esq; Speaker of the House of Representatives of *Massachusetts Bay*, inclosing sundry Resolves entered into by that House. Also a Letter from the Honourable *Ebenezer Silliman*, Esq; Speaker of the House of Representatives of the Colony of *Connecticut*, inclosing several Resolves entered into by that House.

ORDERED, That the said Letters and Resolves be read; and they were read accordingly.

RESOLVED, That this House will take the same, together with the Letters from the Colony of *Virginia* and *Rhode Island*, laid before this House, last Session, into Consideration To-morrow Afternoon. The House appoint Mr. *Benjamin Ford*, and Mr. *John Courts Jones* Committee Clerks. ORDERED, That they be qualified.

The House adjourns till To-morrow Morning 9 o'Clock.

Oct. 14

THURSDAY, October 14, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday read.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs, and that Mr. *Turbutt Wright*, Mr. *Paca*, Mr. *Chase*, Mr. *Thomas*, Mr. *Johnson*, Mr. *Lloyd*, Mr. *Chamberlaine*, and Mr. *J. Hall*, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Regulation of Officers Fees; and that Mr. *Paca*, Mr. *T. Wright*, Mr. *Johnson*, Mr. *J. Hall*, Mr. *Beall*, Mr. *Tyler*, Mr. *Barnes*, Mr. *White*, Mr. *Sim*, Mr. *Chamberlaine*, and Mr. *Chase*, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill to prevent the buying and selling of Offices, and that Mr. *Chase*, Mr. *Chamberlaine*, and Mr. *Johnson*, do prepare and bring in the same.

The following Certificates, *viz.*

ANNE-ARUNDEL I HEREBY certify, that on the 13th Day of *October*, 1773, came *John Courts Jones* before me the Subscriber, one of the Justices of the Peace of the said County, and took the several Oaths to the Government required by Law, sub-

scribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, *viz.* "I John Courts Jones do swear, that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk; and that I will not divulge the Secrets of the said House, or of any Committee thereof, but will in all Things well and truly demean myself according to the best of my skill and Knowledge. So help me GOD."

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R. GHISELIN.

ANNE-ARUNDEL **I** HEREBY certify, that on the 13th Day of October, 1773, came Benjamin Ford before me the Subscriber, one of the Justices of the Peace of the said County, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, *viz.* "I Benjamin Ford do swear, that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk, and that I will not divulge the Secrets of the said House or of any Committee thereof, but will in all Things well and truly demean myself according to the best of my Skill and Knowledge. So help me GOD."

R. GHISELIN.

The House adjourns till 3 o'Clock

POST MERIDIEM.

The House met.

Mr. Lloyd brings in and delivers to Mr. Speaker the following Address to his Excellency.

To his EXCELLENCY ROBERT EDEN, Esq; Governor and Commander in Chief in and over the Province of Maryland,

The humble ADDRESS of the HOUSE of DELEGATES.

May it please your EXCELLENCY,

W E his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland in general Assembly convened, return your Excellency Thanks for your Speech at the Opening of this Session. The different Topicks which your Excellency has been pleased to recommend to our Notice are of Consequence and require a very deliberate Consideration, but matters of an important Nature, more immediately affecting the Welfare of the Province demand a previous Attention.

This Season of the Year being the most convenient to our private Affairs we shall cheerfully proceed now in a general Course of Business.

We are extremely happy in your Excellency's Assurance, that it will give you great Pleasure to co-operate with us in ordaining such

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Laws as may be conducive to the Welfare of this Province, as from thence we have Reason to expect our Endeavours will not be frustrated again by an abrupt Prorogation whilst we are engaged in Deliberations of Moment to the Community.

Which was read the first Time and ordered to lie on the Table.

On Motion, Leave is given to bring in a Bill relating to Leases by the Rector, Vestrymen, and Churchwardens of *Saint Anne's* Parish.

On Motion, ORDERED, That Mr. *Beall*, and Mr. *Chase* be a Committee to enquire what Laws will expire with the Close of this Session, and report the same to the House.

Upon reading a second Time the Address to his Excellency, the Question was put, That the Words "*As from thence we have Reason to expect our Endeavours will not be frustrated again by an abrupt Prorogation whilst we are engaged in Deliberations of Moment to the Community*" be left out of the said Address? Resolved in the Affirmative.

For the AFFIRMATIVE.

Messieurs	Bond,	Parran,	Ward,	Beall,	Holland,
	Key,	Lyles,	Veazy,	Sim,	Purnell,
	Worthington,	Chamberlaine,	Gilpin,	T. Wright,	Wootton,
	J. Hall,	Thomas,	Hyland,	Chaille,	Hagar.
	Weems,	White,			[22]

For the NEGATIVE.

Mess.	Barnes,	Johnson,	Courts,	Tyler,	Hammond,
	Maxwell,	Chase,	Lloyd,	Paca,	Griffith.
					[10]

ORDERED, That the Committee appointed to prepare and bring in the Address, amend the same agreeable to the above Resolution of the House.

Daniel of Saint Thomas Jenifer, Esq; from the Upper House delivers to Mr. Speaker the following Message.

p. 33 By the UPPER HOUSE of ASSEMBLY, October 13, 1773.

GENTLEMEN,

THIS House hath appointed *Benedict Calvert* and *Daniel of St. Thomas Jenifer*, Esquires to join the Members named by your House, in a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

Signed by Order, U. SCOTT Cl. Up. Ho.

Which was read.

Mr. *Lloyd* brings in and delivers to Mr. Speaker the Address to his Excellency, amended, agreeable to the Resolution of the House. Which was read, approved, and ordered to be ingrossed.

Mr. *J. Hall* brings in and delivers to Mr. Speaker the said ingrossed Address. Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

ORDERED, That Mr. *Paca* and Mr. *T. Wright*, do acquaint his Excellency that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint Mr. Speaker the Governor signified he would receive the Address To-morrow Morning at Ten o'Clock in the Conference Chamber. The Order of [the] Day for taking into Consideration the several Letters and Papers mentioned in the Proceedings of Yesterday, is further referred for Consideration till To-morrow Afternoon.

The House adjourns till To-morrow Morning 9 o'Clock.

FRIDAY, October 15, 1773.

Oct. 15

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read. Mr. *Charles Beatty* appeared in the House.

ORDERED, That Mr. *J. Hall*, Mr. *Paca*, Mr. *Chase*, Mr. *Chamberlaine*, and Mr. *Lloyd* do present the ingrossed Address of Yesterday to his Excellency. They return and acquaint Mr. Speaker they delivered the Address.

His Excellency communicates to Mr. Speaker the following Message.

Mr. Speaker, and Gentlemen of the Lower House,

I THANK you for your Address, and am glad to find that you agree in Opinion with me, as to the Consequence of the Subjects I recommended to your Consideration; and I cannot help hoping that, as you admit the Convenience of the Season, you will find Time to give proper Attention thereto, without interrupting your Deliberation on those important "Matters, more immediately affecting the Welfare of the Province," which my real Wish is to promote.

ROBERT EDEN.

Which was read and ordered to lie on the Table.

On Motion, ORDERED, That the Order of the Day for taking into Consideration that Part of the Report of the Committee of Elections and Privileges of last Session relative to Mr. *Jonathan Hagar* be read; and the same was read accordingly.

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RESOLVED, That this House will now take the same into Consideration.

The House was moved, That an Act of Assembly of this Province, entitled "*An Act for the Continuation of Actions, and securing the Peace and good Government of this Province,*" made at a Session of Assembly begun and held at the City of *Annapolis*, the 7th day of *December*, 1751, be read; and the same was read accordingly.

The House was moved, That an Act for vesting in such foreign Protestants as are now naturalized or shall be hereafter naturalized in this Province, all the Rights and Privileges of natural born Subjects, made at a Session of Assembly, begun and held at the City of *Annapolis*, the 2d Day of *October*, 1771, be read; and it was read accordingly.

On taking the same into Consideration, and it appearing that the late Lord Proprietary died in the Month of *September* preceding the late Session of Assembly, begun and held the said 2d Day of *October*, 1771; RESOLVED, That the said General Assembly of this Province, became, and was thereby dissolved; and that therefore the said Act was not enacted by legal and constitutional Authority, and is therefore void.

The House was moved, That the Stat. 13. Geo. 2. Cap. 7. entitled "*An Act for naturalizing such Foreign Protestants and others therein mentioned, as are settled, or shall settle, in any of his Majesty's Colonies in America,*" be read; and it was read accordingly.

The House was moved, That an Act of Assembly of this Province, entitled "*An Act directing the Manner of electing and summoning Delegates and Representatives to serve in succeeding Assemblies, and for ascertaining the Expences of the Councillors, Delegates of Assembly, and Commissioners of the Provincial and County Courts of this Province,*" made at a Session of Assembly begun and held at the City of *Annapolis*, the 17th Day of *July*, 1716, be read; and it was read accordingly.

The House was moved, That the Stat. of 12, and 13. W. 3. Cap. 2, entitled "*An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject,*" be read; and it was read accordingly.

p. 34 The House was moved, That the Stat. of 1. Geo. 1, Cap. 4. entitled "*An Act to explain the Act in the Twelfth Year of the Reign of King William the Third, entitled 'An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject,'*" be read; and it was read accordingly.

The House was moved, That the 8th and 10th Section of an Act, made in the 22d Year of Geo. 2. Cap. 45, entitled "*An Act for the further Encouragement of the Whale Fishery, and for continuing such Laws as are therein mentioned relating thereto, and for the*

Naturalization of such Foreign Protestants as shall serve for the time therein mentioned on board such Ships as shall be fitted out for the said Fishery," be read; and it was read accordingly.

The House referred the further Consideration of the Subject till the Afternoon.

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The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

The House resumed the Consideration of the Subject relative to Mr. *Hagar*, and after considering the several Statutes and the Acts of Assembly aforesaid, Mr. *Hagar* was ordered to withdraw; and Mr. Speaker, by the Direction of the House, put the following Question, That *Jonathan Hagar*, returned as a Representative for *Frederick* County, not being a natural born Subject, nor descended from one, but naturalized in 1747, agreeable to the Stat. 18. Geo. 2. being a Resident of this Province ever since, and having a Freehold of fifty acres of Land be eligible? RESOLVED in the Negative; Mr. *Hagar* was called in, and, Mr. Speaker, by Order of the House, informed him that he was dismissed from any further Attendance on this House as a Member thereof.

ORDERED, That Mr. Speaker do issue his Warrant to the Secretary of this Province requiring him to issue a new Writ of Election to the Sheriff of *Frederick* County to elect a Delegate to serve in this present General Assembly in the Room of Mr. *Jonathan Hagar*, whose Seat is declared vacant.

The House being informed by the Honourable Speaker, that the Reverend Mr. *Love* had offered to read Prayers every Morning in the House during this Session for the usual Allowance, Mr. *Chase* is desired to inform Mr. *Love*, that this House cheerfully accept his offer.

The Order of the Day being read, the House took into Consideration the several letters and other Papers communicated to this House by the Honourable Speaker, and addressed to him by the Honourable the Speakers of the several Colonies of *Virginia*, *Massachusetts Bay*, *Connecticut*, and *Rhode Island*; and RESOLVED unanimously, That this House most cordially accept the Invitation to a mutual Correspondence and Intercourse with our Sister Colonies.

RESOLVED, unanimously, That a standing Committee of Correspondence and Enquiry be appointed to consist of Eleven Persons, to wit. The Honourable *Matthew Tilghman*, Esq; Speaker, *John Hall*, *Thomas Johnson*, *William Paca*, *Samuel Chase*, *Edward Lloyd*, *Matthias Hammond*, *Josias Beall*, *James Lloyd Chamberlaine*, *Brice Thomas Beale Worthington*, and *Joseph Sim*, Esquires, any Six of whom to be a Committee; whose Business it shall be to obtain the

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most early and authentick Intelligence of all such Acts and Resolutions of the *British* Parliament or Proceedings of Administration as may relate to, or affect the *British* Colonies in *America*, and to keep up and maintain a Correspondence and Communication with our Sister Colonies respecting these important Considerations, and the Result of such their Proceedings from Time to Time to lay before this House.

RESOLVED, *unanimously*, That the Speaker of this House transmit to the Speakers of the different Assemblies of the *British* Colonies on this Continent, Copies of the above Resolutions.

The House adjourns till To-morrow Morning 9 o'Clock.

Oct. 16

SATURDAY, October 16, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read. Mr. *William Ringgold* appeared in the House. A Bill entitled, An Act to explain an Act, relating to Leases made by the Rector, Vestrymen, and Churchwardens of *Saint Anne's* Parish; was read the first Time and ordered to lie on the Table.

The House appoint Mr. *Gabriel Duvall* a Committee Clerk.

ORDERED, That he be qualified.

The following Certificate, *viz.*

ANNE-ARUNDEL I HEREBY certify, that on the 16th Day of *October*, 1773, came *Gabriel Duvall* before me the Subscriber, one of the Justices of the Peace of the said County, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, *viz.* "*I Gabriel Duvall do swear, that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk, and that I will not divulge the Secrets of the said House or of any Committee thereof, but will in all Things well and truly demean myself according to the best of my Skill and Knowledge.*" So help me GOD." R. GHISELIN.

Was read and ordered to be entered.

The House adjourns till Monday [Morning October 18]

Oct. 18

MONDAY, October 18, 1773.

p. 35 THE House met. All Members present as on Saturday except Mr. *Worthington*, and Mr. *Sim*. The proceedings of Saturday were read. Mr. *Sudler*, Mr. *Somervell*, Mr. *Hawkins*, Mr. *Ware*, and Mr. *Richardson* appeared in the House.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

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The House met.

On Motion, Mr. *Richardson* is added to the Committee of Accounts.

Mr. *Chamberlaine* hath Leave of Absence for a few Days on Business of Importance.

The House adjourns till To-morrow Morning 9 o'Clock.

TUESDAY, October 19, 1773.

Oct. 19

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

Mr. *Contee*, Mr. *Earle*, Mr. *Sim*, Mr. *Waters*, and Mr. *Brown* appeared in the House.

On Motion, Mr. *Contee* and Mr. *Sudler* are added to the Committee appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

On Motion, Mr. *Earle* is added to the Committee of Accounts.

The Bill, entitled An Act to explain an Act, relating to Leases made by the Rector, Vestrymen and Churchwardens of *Saint Anne's* Parish, was read the second Time, passed, and sent to the Upper House by Mr. *Griffith* and Mr. *Hyland*.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

Mr. *So. Wright* and Mr. *Tolly* appeared in the House.

Mr. *T. Wright* brings in and delivers to Mr. Speaker a Bill, An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs.

George Steuart, Esq; from the Upper House delivers to Mr. Speaker a Petition of sundry the Inhabitants of *All Hallows* Parish, in *Worcester* County, praying that an Act may pass to enable the Justices of *Worcester* County, to levy on the taxable Inhabitants of the said Parish, a Quantity of Tobacco sufficient for building a Chapel in *Mattapony* Hundred, at or near a Place called and known by the Name of *Sandy Hill*.

A Petition of *Ann Arnold Key*, Widow of *Francis Key*, late of *Cæcil* County, deceased, setting forth, that the said *Francis Key* died on or about the 26th Day of *November*, 1770, without having duly executed his last Will and Testament according to the Forms prescribed by Law, whereby the legal Title to his real Estate rests in his eldest Son and Heir at Law, *John Ross Key*, a Minor of the

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Age of Nineteen Years. That a paper or Instrument of Writing purporting to be the last Will and Testament of the said *Francis Key*, was found amongst his Papers in his own Hand writing shortly after his Decease, fully expressing the Manner in which he intended to devise his Estate, but for Want of the said Testament or Will being executed before Three credible Witnesses, the then Commissary General adjudged the same to be good and sufficient in Law, so far forth only as respects the personal Estate. That in Consequence thereof the Petitioner and her younger Children were left destitute of that Provision which her deceased Husband intended them. That the Whole of the Deceased's Personal Estate not specifically devised has been paid away in Discharge of Debts, and that there are several Demands yet unsatisfied. And therefore praying the Legislature to take the Premises into Consideration and pass an Act to establish the said Paper or Instrument of Writing as and for the last Will and Testament of the said *Francis Key*, deceased, to all Intents and Purposes whatsoever, as if the same had been duly executed in due Form of Law, before Three credible Witnesses.

A Petition of *Martha Roundell*, *Sarah Cox*, *Henry Brooke* and *Mary* his Wife, and *Benjamin Skinner* and *Henrietta* his Wife, setting forth, that the Petitioners, *Martha*, *Sarah*, *Mary* and *Henrietta*, are Daughters and Coheirs of *Mary Smith*, late of *Prince-George's* County, Widow, deceased, and as such are intitled to One Moiety or Half Part of sundry Tracts of Land mentioned in the said Petition. And further setting forth, that the said *Martha* intermarried with a certain *Samuel Roundell*, who is since gone beyond Sea and resides somewhere in *Great-Britain* as the Petitioners are informed. And further setting forth that the said Moiety of the Lands specified in the said Petition had been heretofore divided, by Consent, by Persons appointed by the Petitioners. And further setting forth, that the Petitioners being advised that the same Division cannot be perfected, nor Deeds properly executed by Reason of the Absence and for Want of the Concurrence of said *Samuel Roundell*, therefore prayed that

p. 36 an Act of Assembly may pass empowering them by the Interposition of those who had heretofore divided the said Lands, or others to be agreed upon to divide the same, and complete the Whole by Deed or Deeds of Partition and a Petition of sundry Inhabitants of *Saint Mary's* County, praying that no Act may pass for the removal of *Chaptico* Warehouse; severally indorsed, "By the Upper House of Assembly, *October 19, 1773*, read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

The House adjourns till To-morrow Morning 9 o'Clock.

WEDNESDAY, October 20, 1773.

THE House met. All Members present as on Yesterday, except Mr. Chamberlaine. The Proceedings of Yesterday were read. Mr. Ridgely appeared in the House.

The Petition of *Martha Roundell* and others was read.

ORDERED, That the same be referred to the Consideration of a Committee and that they do examine the Matter thereof, and report the same as it shall appear to them to the House, and Mr. Beall, Mr. Tyler, Mr. Sim, and Mr. Contee are appointed a Committee accordingly, and they have Power to send for Persons, Papers and Records.

The Petition of sundry Inhabitants on *Conicocheague* was read and granted, and Leave given to bring in a Bill pursuant to the Prayer of the said Petition.

The Petition of *Anne Arnold Key* was read and rejected.

The Petition of *All-Hallows Parish* in *Worcester County*, was read and granted, and Leave given to bring in a Bill pursuant to the Prayer of the said Petition.

ORDERED, That Mr. Chaille, Mr. Holland, Mr. Purnell, and Mr. T. Wright, do prepare and bring in the same.

The Petition of sundry Inhabitants of *Saint Mary's County* was read the first Time and ordered to lie on the Table.

The Petition of *Michael Tom* and others was read.

ORDERED, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof and report the same as it shall appear to them to the House, and Mr. Wootton, Mr. Beatty and Mr. Griffith are appointed a Committee accordingly; and they have power to send for Persons, papers and Records.

The Petition of *Coventry Parish* was read and granted, and Leave given to bring in a Bill pursuant to the Prayer of the said Petition.

ORDERED, That Mr. Waters, Mr. Chaille, Mr. Thomas, Mr. Purnell, and Mr. Holland do prepare and bring in the same.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

Mr. Chaille brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to empower the Justices of Worcester County to levy on the Taxable Inhabitants of All-Hallows Parish, in said County, the Quantity of Forty-five Thousand Pounds of Tobacco, for the Uses therein mentioned*: Which was read the first and second Time by an especial Order, passed and sent to the Upper House by Mr. Chaille and Mr. Purnell.

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The Petition of the Rector, Vestrymen, &c. of *Saint Luke's* Parish, in *Queen-Ann's* County, which was referred from last Session to this Day is further referred for Consideration till Thursday the 28th Instant.

The Petition of the Rector, Vestrymen, &c. of *Christ Church* Parish, in *Calvert* County, which was referred from last Session of Assembly to this Day, was read and granted, and Leave given to bring in a Bill pursuant to the Prayer of the said Petition.

ORDERED, That Mr. *Somervell*, Mr. *Lyles*, Mr. *Parran*, Mr. *Weems*, and Mr. *J Hall* do prepare and bring in the same.

The Petition of the Rector, Vestrymen, &c. of *All-Saints* Parish, in *Calvert* county, which was referred from last Session to this Day, was read and referred for further Consideration, on Thursday the 28th Instant.

Mr. *Chase* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for more effectually preventing the buying and selling of Offices.*

The House adjourns till To-morrow Morning 9 o'Clock,

Oct. 21

THURSDAY, October 21, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

Mr. *Aquila Hall* appeared in the House.

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Mr. *Weems* being unwell, hath Leave of Absence for a few Days.

George Plater, Esq; from the Upper House delivers to Mr. Speaker the Bill, entitled, *An Act relating to Leases made by the Rector, Vestrymen, and Churchwardens of Saint Anne's Parish*; thus endorsed: "By the Upper House of Assembly, October 19, 1773: Read the first Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, October 20, 1773: Read the second Time, and will pass.

Signed by Order. U. SCOTT, Cl. Up. Ho."

Which Bill was read here and passed for ingrossing.

John Ridout, Esq; from the Upper House delivers to Mr. Speaker a Petition of *William Venables*, of *Somerset* County. A Petition of *Edward Smoot*, of *Charles* County. A Petition of sundry Inhabitants of *Saint Mary's* County, praying for a Warehouse at *Fenwick's* Point; severally indorsed: "By the Upper House of Assembly, October 21, 1773: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which last mentioned Petition was read here and granted. And the Bill, entitled, *An Act to empower the Justices of Worcester County, to levy on the Taxable Inhabitants of All-Hallows Parish, the Quantity of Forty five Thousand Pounds of Tobacco for the Uses therein mentioned*, thus indorsed: "By the Upper House of Assembly, October 20, 1773: Read the first Time and ordered to lie on the Table.

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Signed by Order, U. SCOTT, Cl. Up. Ho.

"By the Upper House of Assembly, October 21, 1773: Read the second Time and will pass, with the following Amendment, *viz.* Leave out the Words "Persons acting as" in the last Line of the first Page.

Signed by Order, U. SCOTT, Cl. Up. Ho."

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

Mr. *Griffith* hath Leave of Absence till Monday next.

On Progression in reading a second Time the Bill, entitled, *An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*, the Question was put, That *Well's* Warehouse in *Queen-Anne's* County be continued?

RESOLVED in the Affirmative.

The House adjourns till To-morrow Morning 9 o'Clock.

FRIDAY, October 22, 1773.

Oct. 22

THE House met. All Members present as on Yesterday, except Mr. *Weems* and Mr. *Griffith*. The Proceedings of Yesterday were read.

John Ridout, Esq; from the Upper House delivers to Mr. Speaker a Petition of *Mary Worthington*, Widow and Relict of *John Worthington*, late of *Baltimore* County, deceased, setting forth, That her Husband, was, in his Lifetime seized in his Demesne, as of Fee, of and in One Hundred and Sixty-nine Acres of Land, Part of Two Tracts or Parcels of Land, lying and being in *Baltimore* County, called *Cromwell's Choice* and *Cromwell's Addition*: That the Petitioner's Husband being so thereof seized, did agree to sell and dispose of the same to his Brother *William Worthington*, for the Sum of One Hundred and Sixty Pounds Sterling; and in Consequence of the said Agreement did receive the Sum of One Hundred and Fifty Pounds Sterling in Part of the Purchase Money; and afterwards, and before the Residue of the Purchase Money was paid, died intestate, and leaving the Petitioner and Six Daughters in their

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Minority: And further setting forth, that since the Decease of her said Husband, the abovementioned *William Worthington* had paid the Residue of the Purchase Money, together with the Interest thereon due. And therefore praying that an Act of Assembly may pass to enable the Petitioner to convey the abovementioned Lands to the said *William Worthington*. And a Petition of *Charles Ridgely* and others, praying an Act may pass to enable them to sell and dispose of an Iron-Works and Furnace, together with sundry Lands thereto belonging, for the Benefit of the Estate of *Caleb Dorsey*, late of *Anne-Arundel* County, deceased; severally indorsed: "By the Upper House of Assembly, *October 22, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho"

The House adjourns till 3 o'Clock.

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POST MERIDIEM.

The House met.

Mr. *Smallwood* appeared in the House.

The Bill, entitled, *An Act for the Regulation of the Staple of Tobacco; and for preventing Frauds in his Majesty's Customs*, was read throughout, passed, and sent to the Upper House by Mr. *J. Hall*, and Mr. *Turbutt Wright*.

The Petition of *Edward Smoot* was read: ORDERED, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House; and Mr. *Smallwood*, Mr. *Ware*, and Mr. *Hawkins*, are appointed a Committee accordingly, and they have Power to send for Persons, Papers, and Records.

A Bill, entitled, *An Act for quieting sundry the Inhabitants of Frederick County in their Possessions*; was read the first Time and ordered to lie on the Table.

The Petition of *William Venables* was read: ORDERED, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House, and Mr. *Chase*, Mr. *Waters*, Mr. *Chaille*, Mr. *Holland*, and Mr. *J. Hall* are appointed a Committee accordingly; and they have Power to send for Persons, Papers, and Records.

The Petition of *Philip Love*, which was referred from last Session to this day, was read; and it appearing to the House, by the Information of Two of the Members, that the Allegations therein set forth are true, the House agree to allow the Petitioner, on the Journal of Accounts, the Sum of Sixty Pounds Common Currency.

The Petition of *Mary Worthington* was read: ORDERED, That the

same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House; and Mr. *Ridgely*, Mr. *Tolly*, Mr. *Aq. Hall*, and Mr. *Chase*, are appointed a Committee accordingly, and they have Power to send for Persons, Papers, and Records.

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The House adjourns till To-morrow Morning 9 o'Clock.

SATURDAY, October 23, 1773.

Oct. 23

THE House met. All Members present as on Yesterday, except Mr. *Lloyd*. The Proceedings of Yesterday were read.

Mr. *Deye* appeared in the House.

Mr. *White* hath Leave of Absence for a few Days.

Mr. *Ridgely* hath Leave of Absence till Monday next.

Mr. *Courts* being unwell, hath Leave of Absence.

Mr. *Beall* brings in and delivers to Mr. Speaker the following Report. *October 22, 1773.*

By the COMMITTEE appointed to enquire into the Truth of the Facts set forth in the Petition of Martha Roundell, Sarah Cox, Henry Brooke, and Mary his Wife, and Benjamin Skinner, and Henrietta his Wife.

YOUR Committee have enquired into the Facts set forth in the said Petition, do find them to be true.

Signed by Order, G. DUVALL, Cl.

Which was read and concurred with.

ORDERED, That the Petition of *Martha Roundell* and others be read; and it was read accordingly, and granted, and Leave given to the Petitioners to bring in a Bill pursuant to the Prayer of the said Petition.

The Petition of *Charles Ridgely* and others was read.

ORDERED, That the same be referred to the Consideration of a Committee, and that they to examine the Matter thereof, and report the same as it shall appear to them to the House, and Mr. *Chase*, Mr. *Thomas*, Mr. *J. Hall*, and Mr. *Johnson* are appointed a Committee accordingly, and they have Power to send for Persons, Papers, and Records.

Mr. *Somervell* brings in and delivers to Mr. Speaker a Bill, entitled, *A Supplement to the Act, entitled, An Act for the building of a Parish Church in Christ Church Parish, in Calvert County*, which was read the first Time and ordered to lie on the Table.

Mr. *Beatty* brings in and delivers to Mr. Speaker the following Report.

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By the COMMITTEE appointed to examine into the Facts set forth in the Petition of Michael Tom and others.

YOUR Committee in pursuance of the Order of the House proceeded to examine into the Facts contained in said Petition, and do humbly report to the House they find the several Facts alleged in the said Petition to be true.

Signed by Order, J. COURTS JONES, Cl. Com.

p. 39 Which was read and concurred with.

ORDERED, That the Petition of *Michael Tom* and others be read; and it was read accordingly, and granted, and Leave given to the Petitioners to bring in a Bill pursuant to the Prayer of the said Petition.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Relief of insolvent Debtors, and that Mr. *Beall*, Mr. *Tyler*, Mr. *Chase*, Mr. *J. Hall*, Mr. *Wootton*, and Mr. *Johnson*, do prepare and bring in the same.

The Bill, entitled, *An Act for quieting sundry the Inhabitants of Frederick County in their Possessions*, was read the second Time by an especial Order, passed, and sent to the Upper House by Mr. *Wootton* and Mr. *Beatty*.

Mr. *Holland* brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE appointed to examine into the Facts set forth in the Petition of *William Venables*.

YOUR Committee in Pursuance of the Order of the House proceeded to examine into the Facts contained in said Petition, and do humbly report to the House, they find the several Facts alleged in the said Petition to be true.

Signed per Order, G. DUVAL, Cl.

Which was read and concurred with.

ORDERED, That the Petition of *William Venables* be read, and it was read accordingly, and granted; and Leave given to the Petitioner to bring in a Bill pursuant to the Prayer of the said Petition, with this Restriction, "Saving the Right of the Infant" in the usual Manner.

The House adjourns till Monday Morning 9 o'Clock.

Oct. 25

MONDAY, October 25, 1773.

THE House met. All Members present as on Saturday, except Mr. *White*, Mr. *Courts*, Mr. *Waters* and Mr. *Wootton*. The Proceedings of Saturday were read.

Mr. *Griffith* appeared in the House.

On motion, Mr. *Deye* is added to the Committee of Accounts.

William Fitzhugh, Esq; from the Upper House delivers to Mr. Speaker a Bill, entitled, *An Act for the Relief of insolvent Debtors and other Prisoners*, thus indorsed: "By the Upper House of Assembly, *October 23, 1773*: Read the first Time and ordered to lie on the Table.

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Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *October 25, 1773*: Read the second Time and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here the first Time and ordered to lie on the Table.

And the Bill, entitled, *An Act for quieting sundry the Inhabitants of Frederick County in their Possessions*; thus endorsed: "By the Upper House of Assembly, *October 23, 1773*: Read the first Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *October 25, 1773*: Read the second Time and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

Daniel Dulany, Esq; from the Upper House delivers to Mr. Speaker a Bill, entitled, *An Act for the Amendment of the Law*, thus indorsed: "By the Upper House of Assembly, *October 25, 1773*: Read the first Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, CL. Up. Ho."

By the Upper House of Assembly, *October 25, 1773*: Read the second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, CL. Up. Ho."

Which was read here the first Time and ordered to lie on the Table.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

Mr. *Ridgely* appeared in the House.

The Petition for a Work-House in *Saint Mary's* County, which was referred from last Session to this Day, was read and referred for further Consideration on Wednesday next.

Mr. *Smallwood* brings in and delivers to Mr. Speaker the following Report.

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By the COMMITTEE appointed to examine into the Facts set forth in Edward Smoot's Petition.

YOUR Committee in Obedience to the Direction of the honourable House have examined into the Facts set forth in the abovesaid Petition, and do find, that *Boles Tyer Balthrop*, in the Year One Thousand Seven Hundred and Sixty-seven, passed his Bond to *Thomas Browning*, for the Conveyance of Five Hundred Acres of Land, called *Boleston*, lying on the North Side of *Chester* River, in *Kent* County, for the Consideration of Six Hundred and Seventy-five Pounds, payable in Silver Dollars, at Seven Shillings and Sixpence *per* Dollar, or *Spanish* Pistoles at Twenty-seven Shillings each; which Sum was to be paid as well as all the Expences that might accrue on docking the Intail of said Land by *Browning*, before the Conveyance was executed by *Balthrop*. That in Consequence thereof the Intail was docked, but no Conveyance ever made, either by *Balthrop* in his Lifetime, or since by his Executor and Executrix; but it does not appear by *Balthrop's* Will, (as stated in said Petition) that he directed the said Land to be conveyed to *Browning*, but that it was to be sold at publick Vendue for the Benefit of his Creditors, and his Brother *John Balthrop*.

And it further appears to your Committee, that a Sale of Two Hundred Acres of Land, Part of the abovesaid Tract was made for Two Hundred and Seventy Pounds Current Money, and the Conveyance jointly executed by *Balthrop* and *Browning*, to a certain *Joseph Redgrave*, on the Fourteenth Day of *January*, Seventeen Hundred and Sixty-nine, and the abovesaid Sum of Two Hundred and Seventy Pounds hath been received by *Balthrop*, in Part of the original Sum of Six Hundred and Seventy-five Pounds. All which is humbly submitted to the Consideration of the Honourable House.

Signed by Order J. COURTS JONES, Cl. Com.

Which was read and ordered to lie on the Table.

The House adjourns till To-morrow Morning 9 o'Clock.

Oct. 26

TUESDAY, October 26, 1773.

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

On Motion, Mr. *Tolly* is added to the Committee of Accounts.

Mr. *Wootton*, Mr. *Chamberlaine*, and Mr. *Robins* appeared in the House.

William Hayward, Esq; from the Upper House delivers to Mr. Speaker a Petition of sundry Inhabitants of *Prince-George's* County; praying that an Act may pass to impower the Justices of *Prince-George's* County, to contract for, and erect a publick Jail in *Upper-*

Marlborough, the Place where the former Prison was situated, and to levy the Expence and Charge thereof on the Inhabitants of the County, thus indorsed: "By the Upper House of Assembly, *October* 26, 1773: Read and referred to the Consideration of the Lower House of Assembly.

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Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here the first Time and ordered to lie on the Table.

The House adjourns till 3 o'Clock

POST MERIDIEM.

The House met.

The ingrossed Bill entitled, *An Act to explain an Act, relating to Leases made by the Rector, Vestrymen, and Churchwardens, of Saint Anne's Parish*; was read and assented to, and sent to the Upper House with the Paper Bill thereof, by Mr. Tolly and Mr. Hyland.

The Order of the Day being read; the Petition of *John Curtis*, of *Baltimore County*, which was referred from last Session to this Day, was read and referred for further Consideration on Friday next.

Mr. *Paca* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Regulation of Officers Fees*.

The House adjourns till To-morrow Morning 9 o'Clock.

WEDNESDAY, *October 27, 1773.*

Oct. 27

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

A Bill, entitled, *An Act to enable Martha Roundell and others, to make Partition of the Lands therein mentioned*; was read the first Time and ordered to lie on the Table.

The Order of the Day being read, the House took into Consideration the Petition for a Work-House in *Saint Mary's County*, and granted the same so far as it relates to a Work-House; and ORDERED, That Mr. *Bond*, Mr. *Barnes*, Mr. *Key*, and Mr. *Smallwood*, do prepare and bring in a Bill for the Relief of the Poor in *Saint Mary's County*.

On Motion, ORDERED, That Leave be given to bring in a Bill to revive and aid the Proceedings of *Cæcil County Court*; and that Mr. *Veazy*, Mr. *Ward*, Mr. *Gilpin*, Mr. *Hyland*, and Mr. *Thomas*, do prepare and bring in the same.

ORDERED, That the Report on the Petition of *Edward Smoot* be read a second Time, and it was read accordingly. p. 41

ORDERED, That the Petition of *Edward Smoot* be read, and it was read accordingly and granted, and Leave given to the Petitioner

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to bring in a Bill pursuant to the Prayer of the said Petition, saving the Right of the Infant in the usual Manner.

William Hayward, Esq; from the Upper House delivers to Mr. Speaker the Paper Bill, No. I. thus indorsed "By the Upper House of Assembly, *October 26, 1773*. The ingrossed Bill whereof this is the Original: Read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

A Petition of *Stepney* Parish, thus indorsed: "By the Upper House of Assembly, *October 27, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

And a Petition of sundry inhabitants of *Worcester* County, thus indorsed: "By the Upper House of Assembly, *October 26, 1773*. Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which Petitions were read here and ordered to lie on the Table.

The ingrossed Bill, No. II. was read and assented to, and sent to the Upper House with the Paper Bill thereof, by Mr. *Griffith* and Mr. *Beatty*.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Enlargement of the Powers of the Trustees and Visitors of *King William* School, and for the more easy Dispatch of Business therein, and that Mr. *Paca*, Mr. *Chase*, Mr. *Johnson*, and Mr. *J. Hall*, do prepare and bring in the same.

The Bill, entitled, *An Act for the Regulation of Officers Fees*, was read the first Time and ordered to lie on the Table.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Sale of the Capital Bank Stock belonging to this Province, and that Mr. *Paca*, Mr. *Chase*, Mr. *Johnson*, and Mr. *J. Hall*, do prepare and bring in the same.

On Motion, ORDERED, That the Petition of the Rector, Vestrymen, and Churchwardens of *Saint Anne's* Parish, which was referred from last to the next Session, be read; and it was read accordingly, and ordered to lie on the Table.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

The Bill, entitled, *An Act to enable Martha Roundell and others to make Partition of the Land therein mentioned*; was read the second Time by an especial Order, and will pass.

The Bill, entitled, *A Supplement to the Act*, entitled, An Act for

the building of a Parish Church in *Christ Church* Parish, in *Calvert* County; was read the second Time, and will pass.

The Bill, entitled, *An Act for the Relief of Insolvent Debtors and other Prisoners*, was read the second Time, and will not pass. The said Bills were sent to the Upper House by Mr. *Sim*, and Mr. *Somervell*.

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The Bill, entitled, *An Act for more effectually preventing the buying and selling of Offices*, was read the first Time and ordered to lie on the Table.

The House adjourns till To-morrow Morning 9 o'Clock.

THURSDAY, October 28, 1773.

Oct. 28

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

Mr. *Paca* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Sale of the Capital Bank Stock belonging to this Province*; which was read the first and second Time by an especial Order and will pass.

The Order of the Day being read, the Petition of the Rector, Vestrymen, &c. of *All Saint's* Parish, and the Petition of the Rector, Vestrymen, &c. of *Saint Luke's* Parish, which were referred from Wednesday the 20th Instant, for Consideration this Day, are further referred till Monday the 8th Day of *November* next.

George Steuart, Esq; from the Upper House delivers to Mr. Speaker the Bill, entitled, *An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*, thus indorsed: "By the Upper House of Assembly, October 22, 1773: Read the first Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, October 28, 1773: Read the second Time and will not pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

With the following Message.

By the UPPER HOUSE of ASSEMBLY, October 28, 1773.

GENTLEMEN,

WE return the Bill, entitled, "*An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*," with our Negative; but should you think proper to include the Clergy in it according to the Terms of the late Inspection Act with respect to the present Incumbents, and make a Provision, giving an Alternative to all Persons to pay the Clergy in Tobacco or Money, at the Rate of Four Shillings Common Money for every Tax-

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able in each Parish, on the Death or Removal of the present Incumbent; and also, to include the Officers and Lawyers according to the Regulations of the late Inspection Act, with this Difference or Variation, that all Persons may elect to pay the Fees in Tobacco or Money after the Rate of 12/6 Common Currency for 100lb. of Tobacco, we shall be ready to resume the Consideration of the Bill, and contribute all in our Power towards perfecting and establishing a Law of so much Consequence to the Credit of our Staple of Tobacco, and to the Peace and Tranquillity of this Province.

Signed by Order, U. SCOTT, Cl. Up. Ho.

Which was read and ordered to lie on the Table.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

Mr. *White* appeared in the House.

Daniel Dulany, Esq; from the Upper House delivers to Mr. Speaker the ingrossed Bill, No. II. thus indorsed: "By the Upper House of Assembly, *October 27, 1773*: The ingrossed Bill, whereof this is the original, read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

And the Bill, entitled, A Supplement to the Act, entitled, An Act for the building of a Parish Church, in *Christ Church* Parish, *Calvert* County, thus indorsed: "By the Upper House of Assembly, *October 28, 1773*: Read the first and second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

The House taking into Consideration the Propositions contained in the Message from the Upper House this Morning, with the Inspection Bill, rejected them unanimously.

The House adjourns till Wednesday the Tenth Day of November next, to consult their Constituents on the present distressed Circumstances of the Province.

Test. JOHN DUCKETT, Cl. Lo. Ho.

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis November 16–December 23, 1773.

Being the Second Session of the Assembly,

Elected in May, 1773.

THE RIGHT HONOURABLE HENRY HARFORD
Lord Proprietary.

ROBERT EDEN,
Governor.

PROCEEDINGS OF THE UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis on Tuesday the 16.th day of November in the Third Year of the Dominion of the Right Honourable Henry Harford Esquire Anno Domini 1773.

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Were Present

	His Excellency Robert Eden Esq. ^r Governor		
The Honble	{	Benedict Calvert Esq	William Hayward Esq
		Daniel Dulany Esq	Daniel of S. ^t Tho. ^s Jenifer Esq
		John Ridout Esq	Benjamin Ogle Esq. ^r
		George Steuart Esq	Philip Thomas Lee Esq
		William Fitzhugh Esq	

Mess.^{rs} Smallwood and Thomas from the Lower House acquaint His Excellency that there are a sufficient number of Members met to make an House and wait His Excellencys Commands.

Benedict Calvert and John Ridout Esquires are sent to acquaint the Members of the Lower House that His Excellency requires their attendance in the Upper House immediately

The Lower House attend and His Excellency desires them to return to their House, and requests their Attention to the matters recommended to their Deliberation at the last Meeting

Adjourned until to Morrow Morning ten of the Clock

Wednesday Morning 17.th November 1773

Nov. 17

The House met again according to Adjournment

Present as Yesterday.

Mess.^{rs} Hawkins and Sudler from the Lower House bring up the Two following Messages.

By the Lower House of Assembly November 17.th 1773.

May it please your Honours.

This House hath appointed from Nine oClock in the Morning until one in the afternoon, and from Three till five for its Sitting every Day during this Session for the dispatch of the Publick Business

Signed by Order. Jn.^o Duckett Cl. Lo. Ho.

U. H. J.
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Nov. 17
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By the Lower House of Assembly Nov.^r 17.th 1773.

May it please your Honours.

This House hath appointed Mess.^{rs} Beall, Turbutt, Wright, Bond Sudler Parran Hawkins and Gilpin to join one or more of the Members of your House as a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit

Signed by Order. Jn.^o Duckett Cl. Lo. Ho.

The following Message is sent to the Lower House by Benjamin Ogle Esquire.

By the Upper House of Assembly Nov.^r 17.th 1773.

Gentlemen.

This House hath appointed Benedict Calvert and Daniel of Saint Thomas Jenifer Esquires to join the Members named by your House in a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit

Signed by Order. U Scott Cl. Up.^r Ho.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of Saint Marys Calvert Charles and Prince Georges Counties for the Erection of a School at the Cool Springs— So Endorsed and sent to the Lower House by Philip Thomas Lee Esq.^r

Mess.^{rs} Griffith and Wootton attend with M.^r Jacob Funk a Member Elected for Frederick County to see him Qualified, who takes the several Oaths to the Government appointed to be taken by Act of Assembly repeats and Subscribes the Oath of Abjuration and Test and then withdraws.

Resolved that this House will take into Consideration the Petition of George Fraser Hawkins on Tuesday next

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Adjourned until to Morrow Morning ten of the Clock.

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Nov. 18

Thursday Morning 18.th of November 1773.

The House met again according to Adjournment

Present as Yesterday.

The Speaker attended by all the Members of the Lower House bring up a Bill entitled “An Act for the Regulation of the Staple

of Tobacco and for preventing Frauds in his Majestys Customs," U. H. J.
Read the first and Second time in the Lower House and will Pass. Liber No. 36
Nov. 18

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Adjourned until to Morrow Morning ten of the Clock

Friday Morning 19.th of November 1773.

Nov. 19

The House met again according to Adjournment

Present as Yesterday.

Read the first Time in this House a Bill entitled. "An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majestys Customs." and ordered to lie on the Table.

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Adjourned until to Morrow Morning ten of the Clock

Saturday Morning 20.th of November 1773.

Nov. 20

The House met again according to Adjournment

Present as Yesterday.

Adjourned until Monday Morning Ten of the Clock

Monday Morning 22.nd of November 1773.

Nov. 22

The House met according to Adjournment

Present.

The Honble	{	Richard Lee Esq	William Hayward Esq
		Benedict Calvert Esq	Daniel of S. ^t Tho. ^s Jenifer Esq
		Daniel Dulany Esq	George Plater Esq
		John Ridout Esq	Benjamin Ogle Esq
		George Steuart Esq	Philip Thomas Lee Esq
		William Fitzhugh Esq	

Adjourned until Three of the Clock in the Afternoon

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U. H. J.
Liber No. 36
Nov. 22

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning ten of the Clock

Nov. 23

Tuesday Morning 23.^d of November 1773.

The House met again according to Adjournment

Present as Yesterday

The House agreeable to the Order of the day proceeds to take into Consideration the Petition of George Fraser Hawkins, and after hearing the Allegations of the Parties concerned, referred the same for further Consideration until the Afternoon

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

The House resumed the Consideration of the Petition of George Fraser Hawkins, and after mature Deliberation thereupon had referred the same to the Consideration of the Lower House of Assembly. So Endorsed and sent by George Plater Esq

Adjourned until to Morrow Morning ten of the Clock

Nov. 24

Wednesday Morning 24.th of November 1773.

The House met again according to Adjournment

Present as Yesterday

Read and referred to the Consideration of the Lower House of Assembly the Petition of Charles Ridgely and others, as also the Petition of John Glassford—these two Petitions were severally Endorsed and sent to the Lower House by William Hayward Esq

Read and Rejected the Petition of John Chalmers and others.

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning 10 of the Clock

Thursday Morning 25.th of November 1773.

The House met again according to Adjournment

U. H. J.
Liber No. 36
Nov. 25

Present as Yesterday.

Read the Second time in this House the Bill entitled "An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in His Majesty's Customs." and will pass with the following Amendments, which were unanimously agreed upon by the Members of this House. Leave out the words "and at Fenwickes Point on Britons Bay under one Inspection," in the second line from the bottom of the second Page, and every thing relative to the said Warehouse in the Bill. After the Word "thereof," in the fourth line from the top of the Tenth Page insert these Words "A Probate of the same by the Witnesses thereto being lodged with such Bond." After the Word "Province" in the eighth line from the bottom of the 19.th Page leave out the words "or by Persons actually exercising the Office of Vestrymen and Church Wardens." In the third line from the top of the fifty fifth Page leave out the words "in every Court of Record within this Province" and also the Words ["in any Court of Record" in Page 68. After the words in Page 114, "if the same exceed six hundred Pounds of Tobacco shall and may be recovered" leave out the words "in any Court of Record." Leave out the Proviso beginning in the 5.th line from the bottom of Page 89. and ending in the 2.nd line from the top of Page 90. Leave out the last Clause next Preceding the Clause of continuance and in the last Clause insert "three" instead of "fourteen." So endorsed and sent to the Lower House by Daniel of Saint Thomas Jenifer Esq together with the following Message

By the Upper House of Assembly 25.th of November 1773.

Gentlemen

Should you think proper to agree to our proposal on remitting the Bill entitled "An Act for the Regulation of the Staple of Tobacco and for Preventing Frauds in his Majesty's Customs." at the late Convention in respect to the Clergy we shall be willing to give our Assent to the Bill now returned, on such Amendments being made as may Answer the purposes of that Proposal. If you should not think proper to agree to such Amendments but choose that a Law may be enacted merely to regulate our Staple of Tobacco entirely distinct from and independent of every other Object we will Assent to the Bill which this Message accompanies upon your agreeing to the Amendments now proposed

Your Published Resolved that the Act for the Establishment of Religious Worship in this Province according to the Church of England and for the Maintenance of Ministers." is not in force can't regularly affect the Question whether it is or not a valid existing

U. H. J.
Liber No. 36
Nov. 25

Law. The Members of your House have heretofore in a very great variety of Instances expressed a different Sentiment in the regular Course of solemn Legislative Acts and should this Act be established by the proper legal Authority the Planters may think it an Hardship to be compelled to Pay Forty instead of Thirty per poll in inspected Tobacco and the Farmers and others not making Tobacco to be under the Disadvantage of making a Composition for the Forty Per Poll instead of being allowed to discharge the Claim at an easy fixed Rate in Money. The proposal respecting the Claim of the Clergy which we made at the late Convention, if you should think proper to agree to it would guard against these inconvenient Consequences of your Opinion, should the proper regular legal Authority determine the Act for the Establishment of Religious Worship in this Province "according to the Church of England and for the Maintenance of Ministers," to be in full Force and the proposed Alternative give a prospect of great Relief to the Planters. Many, at least Nine Vacancies by the Death and Removal of Ministers have happened since October Session 1771, when this Alternative on their Death or Removal was first proposed and upon the happening of such Events hereafter the Makers of Tobacco may regret their not being allowed to pay in Tobacco or Money at the easy Rate of four Shillings.

As a Law (the claim of the Clergy to Merchantable Tobacco being considered) calculated merely for the Regulation of this Staple and to ascertain its merchantable Quality may Prove to be inconvenient, so we have Proposed a Duration for three years only.

Signed by Order. U Scott Cl. Up. Ho.

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning ten of the Clock

Nov. 26

Friday Morning 26.th of November 1773.

The House met again according to Adjournment

Present as Yesterday

Read and rejected the Petition of Hilleary Wilson

Read the Petition of Leigh Master and referred the same for further Consideration until the next Session of Assembly.

p. 702

Read and referred to the Consideration of the Lower House of

Assembly the Petition of sundry Inhabitants of Baltimore County for a Work and Alms House as also the Petition of Ann Arnold Key—these two Petitions were severally Endorsed and sent to the Lower House by John Ridout Esq

U. H. J.
Liber No. 36
Nov. 26

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning ten of the Clock

Saturday Morning 27.th of November 1773.

Nov. 27

The House met again according to Adjournment

Present as yesterday except Col.^o Fitzhugh

Mess.^{rs} Sim and Brown bring up the following Bills, Read the first and second Time in the Lower House and will Pass.

A Bill entitled “An Act to enable Martha Roundell and others to make Partition of the Land therein mentioned.”

A Bill entitled “An Act for the Sale of the Capital Bank Stock belonging to this Province.” A Bill entitled “A Supplement to the Act entitled an Act for the Building of a Parish Church in Christs Church Parish in Calvert County.” A Bill entitled “An Act for quieting sundry the Inhabitants of Frederick County in their Possessions.”

A Bill entitled An Act to explain an Act relating to Leases made by the Rector Vestrymen and Church Wardens of Saint Annes Parish.” A Bill entitled “An Act to continue the Acts of Assembly therein mentioned.” These Bills were severally Read the first Time in this House and Ordered to lie on the Table.

Adjourned until Monday Morning ten of the Clock

Monday Morning 29.th of November 1773.

Nov. 29

The House met again according to Adjournment

Present

The Honble	{	Benedict Calvert Esq	Daniel of S. ^t Tho. ^s Jenifer Esq. ^r
		Daniel Dulany Esq	George Plater Esq. ^r
		John Ridout Esq	Benjamin Ogle Esq. ^r
		George Steuart Esq	Philip Thomas Lee Esq. ^r
		William Hayward Esq	

Adjourned until Three of the Clock in the Afternoon

U. H. J.
Liber No. 36
Nov. 29

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

p. 703 Mess.^{rs} Wootton and Veazey bring up an Engrossed Bill entitled "An Act for the Regulation of the Staple of Tobacco and for preventing Frauds in his Majesty's Customs." Read and Assented to by the Lower House of Assembly.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of Baltimore County for the Division of said County— So endorsed and sent by Daniel Dulany Esquire.

Read and referred to the Consideration of the Lower House of Assembly sundry Petitions for the Erection of a new County to be composed of part of Dorchester and part of Queen Annes County's

So endorsed and sent by William Hayward Esq

Read and referred to the Consideration of the Lower House of Assembly sundry Petitions for and against Warehouses at Chaptico and Piles's Fresh; also the Petition of Henry Waring for a Warehouse on his Land. These Petitions were severally endorsed and sent by Daniel Dulany Esq

Adjourned until to Morrow Morning ten of the Clock

Nov. 30

Tuesday Morning 30.th of November 1773.

The House met again according to Adjournment

Present as Yesterday

Read and Assented to by this House the Engrossed Bill entitled "An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs." and Ordered to be so Subscribed the Paper Bill so Endorsed was sent to the Lower House by Daniel of Saint Thomas Jenifer Esq.

Read the second Time in this House and will pass the three following Bills Viz.^t

A Bill entitled "An Act to enable Martha Roundell and others to make Partition of the Land therein mentioned

A Bill entitled "An Act for quieting sundry the Inhabitants of Frederick County in their Possessions."

A Bill entitled "An Act to explain an Act relating to Leases made by the Rector Vestrymen and Church Wardens of Saint Annes Parish." These Bills were severally Endorsed and sent to the Lower House by Daniel of Saint Thomas Jenifer Esq

Read and referred to the Consideration of the Lower House of

Assembly the Petition of Mary Ann Christy Abigail Armitt. So endorsed and sent to the Lower House by John Ridout Esq

U. H. J.
Liber No. 36
Nov. 30
p. 704

Read and rejected the Petition of sundry Inhabitants of Worcester County praying an Enlargement of the Jurisdiction of the said County Court in laying out Roads.

On Motion of Daniel Dulany Esq Leave is given to bring in a Bill entitled "An Act for the Amendment of the Law." which being brought in immediately was Read the first and second Time by an Especial Order in this House and will Pass. So endorsed and sent to the Lower House by John Ridout Esq

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Mess.^{rs} Beall and Griffith bring up the following Engrossed Bills Read and Assented to by the Lower House of Assembly.

A Bill entitled "An Act to explain an Act relating to Leases made by the Rector Vestrymen and Church wardens of Saint Annes Parish."

A Bill entitled "An Act for quieting sundry the Inhabitants of Frederick County in their Possessions."

A Bill entitled "An Act to enable Martha Roundell and others to make Partition of the Land therein mentioned."

Benedict Calvert and Daniel Dulany Esquires are sent to acquaint the Members of the Lower House that his Excellency requires their Attendance in the Upper House immediately to see the Bill passed this Session receive the Assent.

The Lower House attend and by their Speaker present to his Excellency the Bill entitled "An Act for the Regulation of the Staple of Tobacco and for Preventing Frauds in his Majesty's Customs." Which his Excellency passed into a Law in the usual form by Sealing it with the Right Honourable the Lord Proprietary his Great Seal at Arms and Subscribing it On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law.

Benedict Calvert Esq brings in the following Report from the Committee appointed to Inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly.

Maryland ss.^t

At a Committee of both Houses of Assembly appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly.

U. H. J.
Liber No. 36
Nov. 30
p. 705

Were Present

The Honble	{	Benedict Calvert Esq	}	of the Upper House
		and Daniel of S. ^t Tho. ^s Jenifer Esq		
	{	M. ^r Josias Beall		of the Lower House.
		M. ^r Thomas Contee		
		M. ^r Turbutt Wright		
		M. ^r Thomas Bond		
		M. ^r Emory Sudler		
		M. ^r Richard Parran		
		M. ^r Josias Hawkins		
		M. ^r Joseph Gilpin		

Who make Choice of and appoint the Honourable Benedict Calvert Esquire Chairman and James Brooks their Clerk and agree to make the following Report Viz.^t

Your Committee find by an Account from the Trustees in London dated the 29.th day of April 1773 that they had paid the late Commissioners draft to William Worthington for £637.,16., Sterling and that they have purchased since October Session 1770, Capital Stock in the Bank of England to the amount of £2850 that there was then £27,500 Capital Stock in the said Bank which Cost the Sum of £34,003.4. St.^s belonging to this Province and a Balance of £348.7.6 Sterling in their Hands not invested

Your Committee also find that the Commissioners have since October Session 1770 paid to sundry Claimants on the Journal of Accounts and List of Debts out of the Bill of Credit emitted for that purpose and for which they have produced to your Committee the necessary

	Dollars
Vouchers and Receipts the Sum of.....	764 170/180
To sundry Persons for Torn and defaced Bills which your Committee have counted and Burnt this present Session.....	1,879 70/180
That there is still due to sundry Claimants on the Journal of Accounts and List of Debts.....	
And that there remains in the Office of Bills of Credit of the Emission in 1767. unapplied.....	13,638 177/180
	<hr/> 17,887 177/180 <hr/>

That it appears by the Accounts of the Commissioners for emitting Bills of Credit which your Committee have examined there has arisen due from sundry Persons for Interest on their several Bonds to the 29.th of October last the Sum of £10055.,1.,10½ Sterling of

which they have received £9571,,13,,1½ Sterling and there remains due the Sum of £483,,8,,9 Sterling.

U. H. J.
Liber No. 36
Nov. 30

That the said Commissioners have since the last Report received the Sum of £1959,,16,,3 Current Money for Ordinary Licences that it appears by the Books in their Office there is still due from sundry Sheriff's down to the year 1772 the Sum of £587,,10,,3 and that none of the Sheriffs have yet accounted for the Ordinary Licence Money by them Collected for the present Year except the Sum of £146,,14,,5 received from the Sheriffs of Queen Annes and Prince Georges Counties which now remains in the Office in Bills of Credit of the Emission of 1767. wherefore your Committee beg leave to Report to the Honourable Houses a List of the Sheriffs who are now indebted to this Province on Account of the several Sums by them received for Ordinary Licences Viz.^t

	Gold Curry
Normand Bruce late Sheriff of Frederick County for } the Balance of his Account in 1771.....	10,, 0,, 2
John Addison late Shff of Prince Georges County for the Balance of } his Account in the year 1769.....	21,, 9,, 6
in .....1770.....	46,, 7,, 10
in .....1771.....	31,, 19,, 8
	<hr/>
	99,, 17,, —
George Lee Sheriff of Charles County for his Bal- ance in 1772.....	53,, 19,, 10
Robert Watts late Sheriff of S. ^t Marys County for } Ditto in 1770.....	9,, 2,, —
Jenifer Taylor Sheriff of Saint Mary's County the Balance of his Account } in the Year 1771.....	4,, 8,, ..
in .....1772.....	31,, 16,, 6
	<hr/>
	36,, 4,, 6
Daniel Sullivane Sheriff of Dorchester County for } a Balance in 1772.....	57,, —,, —
Thomas Smyth Sheriff of Kent County for..... } Ditto ....in 1772.....	53,, 4,, —
Richard Thomas late Sheriff of Cecil County for the Balance of his Ac- } count in the year 1770.....	49,, 8,, ..
in .....1771.....	57,, 15,, 10
in .....1772.....	31,, 14,, 11
	<hr/>
	138,, 18,, 9
John Hamilton Sheriff of Cecil County for Balance of Ordinary Licence Money by him received at } November Court 1772.....	11,, 8,, ..

U. H. J. Alexander Calder late Sheriff of Kent Liber No. 36 Nov. 30	County for the Balance of his Account in the year 1770.....	}	60,,16,,—		
	in 1771.....				
			57,,—,,—		
					117,,16,,..
					<u>£587,,10,, 3</u>
	Lawrence Oneal Sheriff of Frederick County for Balance of his Account in 1773	}	156,,15,, 0		
	John Rob. ^t Holliday Sheriff of Baltimore for Do. in 1773.....	}	201,, 8,, 0		
	William Noke Sheriff of Ann Arundel for d. ^o in d. ^o	}	79,,16,,—		
	George Lee Sheriff of Charles..... for d. ^o in d. ^o	}	17,,14,, 8		
	William Thomas Shff of Talbot..... for d. ^o in d. ^o	}	19,,15,,10		
	Thomas Smyth Shff of Kent..... for d. ^o in d. ^o	}	49,, 8,,—		
					524,,17,, 6
					<u>£1112,, 7,, 9</u>

Jenifer Taylor Shff of S.^t Marys County
for Bal. of his Acc.^t in 1773..... (N.^o List ret.^d)
Parker Selby Shff of Worcester... for d.^o.. (d.^o
George Dashiell Shff of Somerset.. for d.^o.. (d.^o
Daniel Sullivan Shff of Dorchester for d.^o.. (d.^o
John Hamilton Shff of Cecil..... for d.^o.. (d.^o
Clement Smith Shff of Calvert... for d.^o.. (d.^o

p. 707 That your Committee cannot at Present Report what Sums of Money are due from the above mentioned Sheriffs of Saint Mary's Worcester Somerset Dorchester, Cecil and Calvert Counties on Account of Ordinary Licences for want of the several Clerks Lists for those Counties which have not yet been returned to the Commissioners.

Your Committee have examined the several Bonds taken by the Commissioners for Bills of Credit and Gold and Silver lent to sundry Persons on Interest and compared the same with a List thereof amounting to 88,029,,11,,3 Sterling

Your Committee have also examined the State of the Eighteen Thousand Dollars Emittid to Change Torn and defaced Bills and find that the Commissioners have paid to sundry Persons for Bills of Credit which your Committee have counted and burnt this present Session 535 Dollars and that there remains in the Office for the

Purpose of changing Torn and defaced Bills of Credit the Sum of 7905 13/18 Dollars.

U. H. J.
Liber No. 36
Nov. 30

That the said Commissioners have since the last Report paid away to Charles Wallace the Sum of £4953 Sterling at sundry Times by Virtue of Orders from the Superintendants of the Publick Building in the City of Annapolis; for Office Expences including their and their Clerks Salaries the Sum of £649,,15,,0½ Sterling, and for a Bill of Exchange the Sum of £30 St.^s remitted for Stationary pursuant to an Act of Assembly passed at June Session 1773 for all which the said Commissioners have produced to your Committee the necessary Vouchers and Receipts And that there now remains in the Office the Sum of £1053,,19,,3¾ Sterling of which there is the Sum of £1049,,13,,3 St.^s in Bills of Credit of the Emission in 1767. and the remaining Balance of £4,,6,,0¾ Sterling consists of Gold and Silver and Bills of Credit Emitted in the year 1770.

Your Committee further Report that the Accounts of the said Commissioners are clear and regularly stated, in consequence of which, they have been able to subjoin the following State of the pecuniary property of this Province under their Management and where the same is vested Viz.^t

1773	The Province of Maryland	D. ^r	
To Bills of Credit of the Emission in 1767 to be Sunk paid sundry Claimants by virtue of different Acts of Assembly	Curry rat ^s		St. ^s
	Doll. ^s @ 7/6		
	57,362,, 4,, 9		
To Bills of Credit of the Emission in 1767 to be Sunk paid Bedingfield Hands Esq late Treasurer of the Eastern Shore p Act of Assembly..		638,,13,, 3	
To Bills of Credit of the Emission in 1767 to be Sunk that still remains due to sundry Claimants on the Journal of Accounts and List of Debts.		601,,15,,—	
		58,602,,13,, 0	
		@ 66¾ p C. ^t is	35,161 11 9½
To Bills of Credit emitted in 1770 to be sunk.	}	67,500	.. ..
To Balance due the Province..		26,698	1 7¾
		<u>£129,359</u>	<u>13 5¼</u>

U. H. J. Liber No. 36 Nov. 30	1773	Per Contra	C. ^r	St. ^g
	By the Bank of England for £27,500 Capital Stock sup- posed to be of the value of 140 p Cent equal to.....}	.....	38,500	.. ..
	By Osgood Hanbury Silvanus Grove and James Russell for a Balance in their Hands...}	.....	348	7 6
	By Sundries for Gold and Sil- ver and Bills of Credit lent them on their Bonds with Se- curity in this Province.....}	.....	88,029	11 3
	By Sundries for Interest now due from them.....}	.....	483	8 9
	By sundry Sheriffs received of them for Ordinary Licences on Acct. ^t of the Year 1773 £146.14.5 Gold Currency which now remains in the Office in Bills of Credit of the Emission in 1767. at 33½ p Cent is.....}	.....	110	.. 9¾
	By sundry Sheriffs for the Nett Amount of Ordinary Li- cences due from them so far as Lists have been returned £1112.,7.,9 Gold at 33½ dis- count .....	.....	834	5 9¾
	By sundry Persons rec. ^d of them for Interest which now remains in the Office of the Emission in 1767.....}	.....	1,049	13 3
	By sundries for In ^t now in the Office in Bills of Credit of the Emission in 1770 & Gold and Silver .....	.....	4	6 0¾
			<hr/>	
			129,359	13 5¼
	By Balance due this Province.		26,698	1 7¾
	By Nett amount of Ordinary Licences for the year 1773 due from the Sheriffs of S. ^t Mary's Calvert Cecil Dorchester Somerset and			

Worcester Counties which cannot at present be ascertained for want of the Clerks Lists.

U. H. J.
Liber No. 36
Nov. 30

Your Committee find that by a Report in November Session 1765 it appears that the Sum of £73,,17,,2 Current Money was then due from the Collector of the Land Tax for Queen Anns County for the half year ending the 29.th of September 1763 and that the said Sum hath not yet been paid in. p. 799

Your Committee further Report that the House wherein the Commissioners for Emitting Bills of Credit keep their Office is in such a ruinous State that they are for the present under the necessity of having it propped up as the Walls are much cracked, which your Committee apprehend is owing to the great Weight of a Brick Arch that Covers the said House

All which is Submitted to the Consideration of both Houses of Assembly this 27.th day of November Anno Domini 1773.

Bened.^t Calvert
Dan.¹ of S.^t Tho.^s Jenifer
Josias Beall
Thomas Contee
J. Hawkins
Thomas Bond
Joseph Gilpin.

Read and Assented to by this House and ordered to be so Subscribed the three following Engrossed Bills Viz.^t

A Bill entitled "An Act to explain an Act relating to Leases made by the Rector Vestrymen and Church Wardens of Saint Annes Parish.

A Bill entitled "An Act for quieting sundry the Inhabitants of Frederick County in their Possessions

A Bill entitled "An Act to enable Martha Roundell and others to make Partition of the Land therein mentioned." The Paper Bills were severally endorsed and sent to the Lower House by George Plater Esq

Read and referred to the Consideration of the Lower House of Assembly the Petition of Alexander Somerville. So Endorsed and sent by George Plater Esq

Adjourned until to Morrow Morning ten of the Clock

U. H. J.
Liber No. 36
Dec. 1

Wednesday Morning 1.st December 1773.

The House met again according to Adjournment

Present as Yesterday.

On Motion of Daniel Dulany Esq Leave is given to bring in a Bill entitled “An Act for the Relief of Insolvent Debtors and other
p. 710 Prisoners.” which being brought in immediately was Read the first and second Time by an Especial Order in this House and will Pass. So Endorsed and sent to the Lower House by Benjamin Ogle Esq Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning ten of the Clock

Dec. 2

Thursday Morning 2.^d of December 1773.

The House met again according to Adjournment

Present as Yesterday.

Mess.^{rs} Beatty and Funk bring up a Bill entitled “An Act to empower William Gaither and Elizabeth his Wife to execute the Conveyances therein mentioned. Read the first and second Time in the Lower House and will Pass which was Read the first Time in this House and Ordered to lie on the Table.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Proprietors of Lots in Carrollsburgh— So Endorsed and sent to the Lower House by Daniel of S.^t Tho.^s Jenifer Esq

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning and W.^m Fitzhugh Esq

Mess.^{rs} Hall and four more bring up a Bill entitled “An Act for the Regulation of Officers Fees. Read the first and second Time in the Lower House and will Pass; which was Read the first Time in this House and Ordered to lie on the Table.

Adjourned until to Morrow Morning ten of the Clock

Friday Morning 3.^d December 1773.

The House met again according to Adjournment

U. H. J.
Liber No. 36
Dec. 3

Present as Yesterday.

Mess.^{rs} Sim and Tyler bring up a Bill entitled "An Act for the directing the Sale of the Lands of John Stone Hawkins deceased for the Payment of his Debts" Read the first and second Time in the Lower House and will Pass which was Read the first and second Time by an Especial Order in this House and will Pass— So endorsed and sent to the Lower House by Daniel Dulany Esq

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of Potapscow Lower Hundred for the opening of a Road as also the Petition of sundry Parishoners of S.^t Pauls Parish in Baltimore County for the Erection of a new Church— These Petitions were severally Endorsed and sent by Daniel Dulany Esq

Adjourned until three of the Clock in the Afternoon

p. 711

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning ten of the Clock

Saturday Morning 4.th of December 1773

Dec. 4

The House met again according to Adjournment

Present as Yesterday.

Mess.^{rs} Solomon Wright and Hammond bring up a Bill entitled An Act to regulate the Payment of Attornies Fees."

Read the first and second Time in the Lower House and will Pass, which was Read the first Time in this House and Ordered to lie on the Table.

Mess.^{rs} Ware and Key bring up an Engrossed Bill entitled An Act for the directing the Sale of the Lands of John Stone Hawkins deceased for the Payment of his Debts— Read and Assented to by the Lower House of Assembly which was Read and Assented to by this House and ordered to be so Subscribed the Paper Bill so Endorsed was sent to the Lower House by William Fitzhugh Esq

Adjourned until Monday Morning 10 of the Clock

Monday Morning 6.th of December 1773.

Dec. 6

The House met again according to Adjournment

U. H. J.
Liber No. 36
Dec. 6

Present

The Honble	{	Benedict Calvert Esq	William Hayward Esq
		Daniel Dulany Esq	Dan. ¹ of S. ^t Tho. ^s Jenifer Esq
		John Ridout Esq	Benjamin Ogle Esq
		George Steuart Esq	Philip Thomas Lee Esq
		William Fitzhugh Esq	

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Mess.^{rs} Barnes and Bond bring up a Bill entitled “An Act for the Relief of the Poor in Saint Marys County.” Read the first and second Time in the Lower House and will Pass. which was Read the first Time in this House and Ordered to lie on the Table.

Read and referred to the Consideration of the Lower House of Assembly the Petition of Gilbert Falconar. so endorsed and sent by Daniel of Saint Thomas Jenifer Esq

p. 712 Adjourned until to Morrow Morning ten of the Clock

Dec. 7 Tuesday Morning 7.th December 1773.

The House met again according to Adjournment

Present as Yesterday.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of Prince Georges County against the Sale of the Free School Land belonging to said County— So endorsed and sent to the Lower House by William Hayward Esq

Read the second Time in this House the Bill entitled “An Act for the Regulation of Officers Fees.” and will not Pass— So endorsed and sent to the Lower House together with the following Message by Philip Thomas Lee Esq

By the Upper House of Assembly 7.th December 1773.

Gentlemen

We should be willing to agree to a proper Bill allowing a competent Support to Officers, but as the Bill entitled “An Act for the Regulation of Officers Fees.” appears to us in a different Light, we have therefore returned it with our Negative.

Signed by Order U Scott Cl. Up. Ho.

Mess.^{rs} Chamberlaine and Ward bring up the two following Bills
Read the first and second Time in the Lower House and will Pass. U. H. J.
Liber No. 36
Dec. 7
Viz.^t

A Bill entitled. "An Act to revive and aid the Proceedings of Cecil County Court." and a Bill entitled "An Act for imposing a further additional Duty of Five pounds Current Money per poll on all Negroes Imported into this Province." These two Bills were Read the first Time in this House and Ordered to lie on the Table.

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning ten of the Clock

Wednesday Morning 8.th December 1773.

Dec. 8

The House met again according to Adjournment

Present as Yesterday.

Mess.^{rs} Hall and Tolley bring up a Bill entitled "An Act for the Division of Baltimore County and for erecting a new one by the Name of Harford." Read the first and second Time in the Lower House and will Pass which was Read the first Time in this House and Ordered to lie on the Table.

Adjourned until Three of the Clock in the Afternoon

p. 713

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Mess.^{rs} Deye and Ridgely bring up a Bill entitled "An Act to regulate the Criminal Business of Baltimore County." Read the first and second Time in the Lower House and will Pass— which was Read the first Time in this House and ordered to lie on the Table

Read the second Time by an especial Order in this House the Bill entitled An Act for the Division of Baltimore County and for erecting a new one by the name of Harford" and will Pass. So endorsed and sent to the Lower House by Daniel Dulany Esq

Adjourned until to Morrow Morning Ten of the Clock

Thursday Morning 9.th December 1773.

Dec. 9

The House met again according to Adjournment

U. H. J.
Liber No. 36
Dec. 9

Present as Yesterday

Read the second Time in this House the bill entitled “An Act for the Relief of the Poor in Saint Marys County.” and will Pass. So endorsed and sent to the Lower House by Daniel of Saint Thomas Jenifer Esq

Read the second Time in this House the Bill entitled “An Act for the Sale of the Capital Bank Stock belonging to this Province,” and will not Pass. so endorsed and sent to the Lower House by William Hayward Esq

Read the second Time in this House the Bill entitled “An Act to revive and aid the Proceedings of Cecil County Court” and will Pass with the following Amendments Viz.¹ Leave out the words “except as herein after excepted.” in the sixth line of the first enacting Clause and after the word “Condition.” in the 7.th line of the same Clause leave out the rest of the Bill and add the following words Viz.¹ “to all intents and Purposes as if the Justices of the said Court had met and held the said Court as required by the aforesaid Act of Assembly of this Province.” So endorsed and sent to the Lower House by John Ridout Esq.

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

p. 714 Mess.^{rs} Hall and Tolley bring up an engrossed Bill entitled. “An Act for the Division of Baltimore County and for Erecting a new one by the Name of Harford.” Read and Assented to by the Lower House of Assembly— which was Read and Assented to by this House and Ordered to be so Subscribed—the Paper Bill so Endorsed was sent to the Lower House by Benjamin Ogle Esq

Adjourned until to Morrow Morning ten of the Clock

Dec. 10

Friday Morning 10.th of December 1773

The House met again according to Adjournment

Present as yesterday.

Mess.^{rs} Richardson and Ringgold bring up a Bill entitled “An Act for the Division of Dorchester and Queen Annes Counties and for erecting a new one by the Name of Caroline,” Read the first and second Time in the Lower House and will Pass, which was Read the first Time in this House and Ordered to lie on the Table.

Adjourned until to Morrow Morning Ten of the Clock

Saturday Morning 11.th of December 1773.U. H. J.
Liber No. 36
Dec. 11

The House met again according to Adjournment

Present as yesterday.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of Baltimore Town— So endorsed and sent by Philip Thomas Lee Esq

Read the second Time in this House the Bill entitled. “An Act to continue the Acts therein mentioned” and will not Pass— So endorsed and sent to the Lower House by Philip Thomas Lee Esq.

Mess.^{rs} Thomas and Solomon Wright bring up a Bill entitled “An Act for the Relief of insolvent Debtors and other Prisoners.” Read the first and second Time in the Lower House and will not Pass.

Mess.^{rs} Thomas and Solomon Wright bring up the Bill entitled “An Act for the Amendment of the Law.”— Read the first and second Time in the Lower House and will Pass with the following Amendment Viz.^t Leave out the Clause from the beginning of the sixth Page to the word “liable.” inclusive in the Eleventh line of the same Page.

Mess.^{rs} Barnes and Tolley bring up the two following Bills, Read the first and second Time in the Lower House and will Pass. Viz.^t

A Bill entitled “An Act for the Sale of Lands late the Property of Caleb Dorsey of Ann Arundel County deceased for Payment of Legacies.”

A Bill entitled “A Supplementary Act to the Act entitled “An Act for licensing Ordinary Keepers Hawkers, Pedlars and Petty Chapmen.”— Those two Bills were Read the First Time in this House and Ordered to lie on the Table

Mess.^{rs} Deye and Tolley bring up a Bill entitled “An Act to Con- p. 715
firm a Lease made by Thomas Harrison of Baltimore County for part of a Lot of Land therein mentioned to the Commissioners of Baltimore Town and their Successors” and also a Bill entitled “An Act for the Relief of sundry Inhabitants of Potapsaco Lower Hundred in Baltimore County.” Read the first and second Time in the Lower House and will Pass, which said Bills were severally Read the first Time in this House and Ordered to lie on the Table

Read the second Time by an especial Order in this House a Bill entitled “An Act for the Sale of Lands late the Property of Caleb Dorsey of Ann Arundel County Deceased for payment of Legacies;” and will Pass with the following Amendment Viz.^t Add the following Proviso at the end of the Bill “Provided always that nothing in this Act contained shall in any manner affect the Claim or Remedy of any Creditor or Creditors of the aforesaid Caleb Dorsey deceased.” So Endorsed and sent to the Lower House by John Ridout Esq

Adjourned until Monday Morning ten of the Clock

U. H. J.
Liber No. 36
Dec. 13

Monday Morning 13.th of December 1773

The House met again according to Adjournment

Present.

The Honble	{	Benedict Calvert Esq	Daniel of S. ^t Tho. ^s Jenifer Esq
		Daniel Dulany Esq	Benjamin Ogle Esq
		John Ridout Esq	Philip Thomas Lee Esq
		George Steuart Esq	

Mess.^{rs} Lloyd and Hammond bring up a Bill entitled “An Act for the Relief of Insolvent Debtors.”— Read the first and second Time in the Lower House and will Pass which was Read the first Time in this House and Ordered to lie on the Table

Mess.^{rs} Parran and Maxwell bring up the following Bills Read the first and second Time in the Lower House and will Pass Viz.^t A Bill entitled “An Act continuing an Act entitled An Act for the Gauge of Barrels of Pork Beef Pitch Tar Turpentine and Tare of Barrels of Flour or Bread.”

p. 716 A Bill entitled “An Act continuing An Act entitled An Act to remedy some Evils relating to Servants

A Bill entitled “An Act continuing An Act entitled An Act to establish a Market in Frederick Town in Frederick County and for the Regulation of the said Market.”

A Bill entitled “An Act continuing an Act entitled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law and the Supplementary Act thereto.”

A Bill entitled “An Act continuing An Act entitled “An Act for the speedy Recovery of small Debts out of Court before one Justice of the Peace” and A Bill entitled “An Act continuing An Act entitled “An Act for imposing an Additional Duty of Two Pounds per Poll on all Negroes Imported into this Province.”— These Bills were severally Read the first and second Time by an Especial Order in this House and will Pass— So endorsed and sent to the Lower House by John Ridout Esq.^r

Mess.^{rs} Parran and Maxwell bring up a Bill entitled “An Act continuing An Act entitled An Act for abolishing June County Courts and for other Purposes therein mentioned.” Read the first and second Time in the Lower House and will Pass, which was Read the first Time in this House and Ordered to lie on the Table.

Read the second Time in this House the Bill entitled “An Act for imposing an Additional Duty of Five Pounds Current Money Per poll on all Negroes imported into this Province” and will Pass with the following Amendments Viz.^t After the word “above” in the

U. H. J.
Liber No. 36
Dec. 13

Eighth line from the Top of the first Page leave out the Words "what by the Laws of this Province now in Force is" and insert in the Room thereof the following Words Viz.^t "the Duties laid by the Act entitled An Act for imposing a further Additional Duty of Five Pounds Current Money Per Poll on all Negroes imported into this Province" passed at a Session of Assembly begun and held at the City of Annapolis on Wednesday the 22.^d day of October and ended the 30.th day of November 1771 and by the Acts of Assembly passed before the said 22.^d day of October 1771."— so endorsed and sent to the Lower House by John Ridout Esq

Read the second Time in this House the Bill entitled "A Supplement to the Act entitled "An Act for Building a Parish Church in Christ Church Parish in Calvert County" and will Pass with the following Amendments Viz.^t Insert after the word "Tobacco" in the seventh line from the Top of the first Page the following words Viz.^t "And by the Act entitled "A Supplementary Act to the Act entitled An Act for the Building of a Parish Church in Christ Church Parish in Calvert County made at a Session of Assembly begun and held at the City of Annapolis on Wednesday the second day of October seventeen hundred and seventy one it was enacted that the Vestrymen and Church wardens of the said Parish or the Major part of them should and they were thereby required by the fifth day of the then next November Court to Certify to the Justices of Calvert County aforesaid the Quantity of Tobacco that was requisite and necessary for finishing and compleating the said Parish Church and that the said Justices should not assess on the Taxable Inhabitants of the said Parish a greater Quantity of Tobacco than should be so Certified with the Sheriffs Salary of five per Cent for collecting the same." Insert after the word "Tobacco" in the tenth line from the Top of the first Page the following words Viz.^t "and that the said recited Supplementary Act had not been carried into Execution."— So Endorsed and sent to the Lower House by John Ridout Esq.

p. 717

Read the Bill entitled "An Act for the Amendment of the Law" together with the Amendment thereto proposed by the Lower House and passed the same for Engrossing.

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Read the second Time in this House the Bill entitled "An Act for the Division of Dorchester and Queen Annes Counties and for erecting a New One by the Name of Caroline," and will Pass.— So endorsed and sent to the Lower House by Philip Thomas Lee Esq.^r

U. H. J.
Liber No. 36
Dec. 13

Read the second Time in this House the Bill entitled “An Act to Confirm a Lease made by Thomas Harrison of Baltimore County for part of a Lot of Land therein mentioned to the Commissioners of Baltimore Town and their Successors,” and will Pass. So Endorsed and sent to the Lower House by Philip Thomas Lee Esq.^r

Read the second Time in this House the Bill Entitled “An Act for the Relief of sundry Inhabitants of Potapscow Lower Hundred in Baltimore County;” and will Pass with the following Amendments Viz.^t “Provided always that before the said Road shall be opened and established the Inhabitants of the aforesaid Hundred shall by Petition apply to the Justices of Baltimore County Court to appoint
p. 718 three disinterested and substantial Freeholders of the said County for laying out the said Road and ascertaining and allowing to the Owner or Owners of the Soil through which the said Road shall be opened and established such a Sum of Current Money as shall be a full Recompence to such Owner or Owners for the Damage and Inconvenience which shall happen to him her or them from the Opening and Establishing such Road And the said Freeholders who shall be appointed by the said Justices shall before they proceed to open and lay out such Road and ascertain and allow such Recompence to the Owner or Owners as aforesaid take an Oath to do their Duty in this Behalf without Favor or Prejudice to the best of their Skill and Judgment And be it enacted by the Authority aforesaid that after opening and laying out the Road aforesaid and ascertaining and allowing a Sum of Money for the Purpose of such Recompence as aforesaid to the Owner or Owners of the said Soil the said Freeholders shall return a full Certificate thereof to the next County Court of the said County and the Justices of the said County Court shall at the next November Court after the return of such Certificate assess rateably on the Taxable Inhabitants of the said Hundred the Sum ascertained and allowed as aforesaid to the Owner or Owners of the Soil aforesaid by the Freeholders aforesaid with the Publick and County Levies together with Five Per Cent to the Sheriff for Collection which said Sum shall be Collected by the Sheriff of Baltimore County of the Taxable Inhabitants of the said Hundred in like manner as other Levies are by Law collected and paid to the Owner or Owners of the Soil aforesaid without deduction.” so Endorsed and sent to the Lower House by John Ridout Esquire

Mess.^{rs} Johnson and Paca bring up a Bill entitled “An Act for more effectually preventing the Buying and Selling of Offices,” Read the first and Second Time in the Lower House and will Pass which was Read the first Time in this House and Ordered to lie on the Table.

Adjourned until to Morrow Morning Ten of the Clock

Tuesday Morning 14.th December 1773.

The House met again according to Adjournment

U. H. J.
Liber No. 36
Dec. 14

Present as Yesterday.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of George Town in Frederick County so Endorsed and sent by John Ridout Esq. p. 719

The Engrossed Bill entitled "An Act for the Amendment of the Law," is Read and Assented to by this House, and Ordered to be so Subscribed. Sent together with the Paper Bill thereof to the Lower House by John Ridout Esq

Mess.^{rs} Tolley and Hammond bring up a Bill entitled "An Act for the Relief of the Poor of Ann Arundel County." Read the first and second Time in the Lower House and will Pass which was Read the first and second Time by an Especial Order in this House and will Pass. So endorsed and sent to the Lower House by George Steuart Esquire.

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Mess.^{rs} White and Lyles bring up the Paper Bill entitled "An Act for the Amendment of the Law." Endorsed "By the Lower House of Assembly Dec.^r 14.th 1774 The Engrossed Bill whereof this is the Original, Read and Assented to

Signed by Order Jn.^o Duckett Clk. Lo. Ho."

Read the second Time in this House the Bill entitled "A Supplementary Act to the Act entitled An Act for licensing Ordinary Keepers Hawkers Pedlars and Petty Chapmen" and will Pass with the following Amendment Viz.^t After the Word "Jury" in the first line of the second Page leave out the rest of the Bill and insert the following Words Viz.^t "And in case any of the Clerks of the County Courts of this Province shall neglect to return to the Commissioners for Emitting Bills of Credit as by Law they are directed and required the Lists of all Persons to whom Ordinary Licences shall be granted And if any Sheriff shall neglect to make Payment to the said Commissioners on or before the 20.th day of October yearly of all Monies by him received for Ordinary Licences then and in such Case the said Commissioners are hereby directed and required to make out and deliver to the Governor or Commander in Chief for the Time being a List of such Clerks or Sheriffs as shall make such Default as aforesaid." so Endorsed and sent to the Lower House by Benjamin Ogle Esq. p. 720

U. H. J.
Liber No. 36
Dec. 14

Read the Second Time in this House the Bill entitled “An Act to regulate the Criminal Business of Baltimore County” and will Pass, so endorsed and sent to the Lower House by Benjamin Ogle Esq

Mess.^{rs} A Hall and Ridgely bring up a Bill entitled “An Act to establish a Market in Baltimore Town in Baltimore County and to regulate the said Market.” Read the first and second Time in the Lower House and will Pass. which was Read the first Time in this House and Ordered to lie on the Table.

Mess.^{rs} Richardson and White bring up the following Engrossed Bills read and Assented to by the Lower House of Assembly Viz^t

A Bill entitled “An Act to Confirm a Lease made by Thomas Harrison of Baltimore County for part of a Lot of Land therein mentioned to the Commissioners of Baltimore Town and their Successors.”

A Bill entitled “An Act for the Relief of the Poor of Ann Arundel County

A Bill entitled “An Act for the Division of Dorchester and Queen Annes Counties and for erecting a new one by the Name of Caroline”

Adjourned until to Morrow Morning ten of the Clock

Wednesday Morning 15.th December 1773.

The House met again according to Adjournment

Dec. 15

Present as yesterday.

Read the second Time in this House the Bill entitled “An Act for the Relief of Insolvent Debtors” and will Pass with the following Amendment Viz.^t Add to the Title of the Bill the words “and other Prisoners.” after the word “Committed” in the fourth line of the first Page insert the following words Viz.^t “or charged” in the fifth line of the same Page leave out the words “or for want of Special Bail,” after the word “Committment” in the seventh line of the same page add the Words Viz.^t “or charge” leave out in the second page the following Words beginning in the Ninth line “and it doth not appear to them or any two of them from the Cause or Causes of his or her Imprisonment or by the Allegation upon the Oath of the Creditors or some of the Creditors of the said Prisoners that the whole of the Debts due and owing from him or her amount together to two hundred pounds Sterling Money or the value thereof” after the word “Estate.” in the fourteenth line of the same Page add the following words Viz.^t “Debts and Credits.” in the seventh line of the third Page leave out the word “the” next before the word “whole.” and insert the word “my,” and in the Eighth line of the same Page leave out the words “of my own in Possession.” and after the words

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"Interest in" in the same Line add the following words Viz.^t "and of all Debts Credits and Effects whatsoever which I or any in Trust for me have or at the Time of my Petition had or am or was in any Respect intitled to in Possession Remainder or Reversion" leave out the words beginning in the eighth line of the same Page Viz.^t "And that I have not any Estate Goods or Effects of any kind whatsoever left either in Possession Reversion or Remainder." after the word indirectly in the eleventh line of the same Page add the following words Viz.^t at any time since my Imprisonment or before," after the word "Estate" in the twelfth line of the same Page add the following Words Viz.^t Goods Stock Money "or Debts" after the word "Trust." in the third line of the fourth page add the words "for Him or Her, and after the word "He" in the same line add the words "or She." after the word "Justices." in the Tenth line of the sixth Page add the following Proviso Viz.^t "And Provided also that before any Suit shall be brought by any Sheriff aforesaid Notice shall be given thereof in the Maryland Gazette for four weeks successively in order that all the Creditors of such Prisoner may have an Opportunity if they shall think fit of joining in the Request aforesaid to and Indemnification of the said Sheriff and thereby be intitled to receive rateably what shall be recovered and the time from the discharge of such Prisoner as aforesaid 'till such Suit shall be brought shall not be affected by any Act for Limitation of Actions and the Creditors who shall apply and receive any Sum or Sums of Money of the Sheriff as aforesaid and shall refund and pay rateably to such other Creditors as shall apply for the same thereafter the Debt or Debts due from such Prisoner to him her or them so as that the said last mentioned Creditors may receive and be paid in equal Proportion to his her or their Demands and in case such Prisoner as aforesaid shall be liable on a future Breach of a Contract by him or her made or entered into before his or her Discharge the Person or Persons who shall be entitled as a Creditor or Creditors of such Prisoner under such Breach of Contract shall have and receive his or her Satisfaction rateably of the Creditors who shall have received the whole or a Proportion of the Debts due to them on such Distribution as aforesaid. and to prevent persons who may be charged in Execution from lying in Prison until they have spent their Substance wherewith they should satisfy their Creditors and afterwards taking the benefit of this Act when they have nothing left to deliver up to their Creditors no Person who shall be charged in Execution from and after the Expiration of this present Session of Assembly shall be allowed or permitted to exhibit a Petition for the Purpose aforesaid unless such Petition shall be exhibited within Thirty Days after his or her Commitment or being charged in Execution." Leave out the word "or" after the word "Descent" in the Eighth line of the seventh Page, and after the word "Distribution" in the same line add the

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words “or otherwise.”— Leave out from and after the word “Act” in the Twelfth line of the eighth Page to the word “Creditors” in the seventh line of the last Page inclusively—and immediately before the continuing Clause add the following Viz.^t “And be it further enacted by the Authority aforesaid that if any person or persons hath or have been already committed or hereafter shall be committed by any Court for Fees on any Criminal Prosecution it shall and may be lawful for the Court by whom such Prisoner hath been or shall be committed upon the application of such Prisoner or of the Sheriff having the Custody of such Prisoner to order such Prisoner to be Sold as a Servant to the highest Bidder for a Term not exceeding Five years and to direct the Money which shall arise on such Sale to be applied as far as the same shall extend in or towards the Payment and Discharge of the Fees for which such Prisoner hath been or shall be Committed Provided always that if the highest Price for the Prisoner to be Sold as aforesaid shall exceed the Sum or amount of the Fees aforesaid then and in such Case there shall be an Abatement of the Time of the Service of such Prisoner to be Sold as aforesaid in Proportion to the part of the purchase Money which shall remain after Payment and Discharge of the Fees aforesaid and the Purchaser of such Servant shall be discharged of and from such Surplus or remaining part of the said Purchase Money after Payment of the Fees aforesaid.” so Endorsed and sent to the Lower House by Daniel of Saint Tho.^s Jenifer Esq

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Read and Assented to by this House and Ordered to be so Subscribed the following Engrossed Bills Viz.^t

A Bill entitled “An Act to Confirm a Lease made by Thomas Harrison of Baltimore County for part of a Lot of Land therein mentioned to the Commissioners of Baltimore Town and their Successors.”

A Bill entitled “An Act for the relief of the Poor of Ann Arundel County” and

A Bill entitled “An Act for the Division of Dorchester and Queen Ann’s Counties and for erecting a new One by the Name of Caroline.” The paper Bills were severally Endorsed and sent to the Lower House by Daniel of Saint Thomas Jenifer Esq

Read the Second Time in this House the Bill entitled “An Act to establish a Market in Baltimore Town in Baltimore County and to regulate the said Market” and will Pass. so Endorsed and sent to the Lower House by Daniel of S.^t Thomas Jenifer Esq

Read and referred to the Consideration of the Lower House of Assembly the Petition of Matthew Purnell. So endorsed and sent by Benjamin Ogle Esq.

Read and Rejected the Petition of sundry Creditors of John Webster the Petition of Thomas Studham the Petition of James

Seth, the Petition of John Purnal Robins, the Petition of John Postley and others, and also the Petition of Elizabeth and Joseph Husbands it appearing to this House that these Petitioners have a Remedy in Chancery.

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Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Persons living near Patuxent River. So Endorsed and sent by Daniel Dulany Esq

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of Saint Pauls Parish in Queen Anns County. so Endorsed and sent by John Ridout Esq

Adjourned until to Morrow Morning 10 of the Clock

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Thursday Morning 16.th December 1773

Dec. 16

The House met again according to Adjournment

Present as Yesterday

Mess.^{rs} Chase and Johnson bring up a Bill entitled "An Act for Emitting Bills of Credit and applying part thereof." Read the first and Second time in the Lower House and will Pass which was Read the first Time in this House and Ordered to lie on the Table—

Mess.^{rs} Chase and Johnson bring up the following Engrossed Bills, Read and Assented to by the Lower House of Assembly

A Bill entitled "An Act for the Sale of the Lands late the Property of Caleb Dorsey of Ann Arundel County Deceased for payment of Legacies."

A Bill entitled "An Act continuing An Act entitled An Act to remedy some Evils relating to Servants."

A Bill entitled An Act continuing An Act entitled An Act for the Speedy Recovery of small Debts out of Court before one Justice of the Peace

A Bill entitled "An Act continuing An Act entitled An Act for imposing an additional Duty of Two pounds Per Poll on all Negroes Imported into this Province."

A Bill entitled An Act continuing An Act entitled An Act for the Gauge of Barrels of Pork Beef, Pitch Tar Turpentine and Tare of Barrels of Flour and Bread."

A Bill entitled "An Act continuing An Act entitled An Act to

U. H. J. establish a Market in Frederick Town in Frederick County and for
 Liber No. 36 the Regulation of the said Market.”
 Dec. 16

A Bill entitled “An Act continuig An Act entitled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and the Supplementary Act thereto.”

These Bills were severally Read and Assented to by this House and Ordered to be so Subscribed—the Paper Bills so Endorsed were sent to the Lower House by John Ridout Esq.

Read and referred to the Consideration of the Lower House of Assembly the Petition of John Robert Holliday as also the Petition of sundry Criminals in Baltimore County Goal— so Endorsed and sent to the Lower House by John Ridout Esquire.

Read the second Time in this House the Bill entitled An Act to empower William Gaither and Elizabeth his Wife to make and execute the Conveyances therein mentioned and will not Pass.

p. 725 Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Mess.^{rs} Smallwood and Chamberlaine bring up the following Engrossed Bill, Read and Assented to by the Lower House of Assembly Viz.^t

A Bill entitled “An Act for the Relief of the Poor of Saint Marys County.” which was Read and Assented to by this House and Ordered to be so Subscribed—the Paper Bill so Endorsed was sent to the Lower House by George Steuart Esq

Mess.^{rs} Smallwood and Chamberlaine bring up the two following Bills Read the first and second Time in the Lower House and will Pass Viz.^t

A Bill entitled “An Act to render the Recovery of the Penalty for selling Liquors without Licence more certain.” and

A Bill entitled “An Act for the Support of the Clergy of the Church of England in this Province.” These Bills were Read the first Time in this House and Ordered to lie on the Table

Adjourned until to Morrow Morning ten of the Clock

Dec. 17

Friday Morning 17.th December 1773

The House met again according to Adjournment

Present as Yesterday

Mess.^{rs} Earle and Maxwell bring up the two following Bills Read the first and second Time in the Lower House and will Pass Viz.^t

A Bill entitled "An Act for the Speedy Publication of the Laws of this Province and for the Encouragement of Anne Catharine Green of the City of Annapolis Printer" and

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A Bill entitled "An Act for an Addition to Baltimore Town in Baltimore County." These two Bills were Read the first and second Time by an especial Order in this House and will Pass So endorsed and sent to the Lower House by Philip Thomas Lee Esq

Mess.^{rs} Earle and Maxwell bring up a Bill entitled "An Act confirming the Title of William Venables to the Lands therein mentioned." Read the first and second Time in the Lower House and will Pass. which was Read the first and second Time by an Especial Order in this House and will not Pass.

Read and referred to the Consideration of the Lower House of Assembly the Petition of Samuel Dorsey—so Endorsed and sent by Philip Thomas Lee Esq.

Read the second Time in this House the Bill entitled "An Act to render the Recovery of the Penalty for Selling Liquor without Licence more certain" and will Pass.— so endorsed and sent to the Lower House by Daniel Dulany Esquire. p. 726

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Mess.^{rs} Sim and Richardson bring up the two following Bills, Read the first and second Time in the Lower House and will Pass Viz.^t

A Bill entitled "An Act for the Repair of the Paper Currency Office." &

A Bill entitled "An Act for raising and applying Money towards erecting and maintaining a Light House on Cape Henry." These two Bills were Read the first Time in this House and ordered to lie on the Table

George Steuart and Daniel of Saint Thomas Jenifer Esquires are sent to acquaint the Members of the Lower House that his Excellency requires their Attendance in the Upper House immediately to see the Bills passed this Session receive the Assent.

The Lower House attend and by their Speaker present to his Excellency the following Bills Viz.^t

A Bill entitled "An Act to explain an Act relating to Leases made by the Rector Vestrymen and Church Wardens of Saint Annes Parish."

A Bill entitled "An Act to enable Martha Roundell and others to make Partition of the Land therein mentioned."

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Dec. 17

A Bill entitled “An Act for quieting sundry the Inhabitants of Frederick County in their Possessions.”

A Bill entitled “An Act for the directing the Sale of the Lands of John Stone Hawkins deceased for the Payment of his Debts

A Bill entitled “An Act for the Division of Baltimore County and for Erecting a new One by the Name of Harford.”

A Bill entitled “An Act for the Amendment of the Law.”

A Bill entitled An Act to Confirm a Lease made by Thomas Harrison of Baltimore County for part of a Lot of Land therein mentioned to the Commissioners of Baltimore Town and their Successors.”

A Bill entitled “An Act for the Relief of the Poor of Ann Arundel County.”

A Bill entitled An Act for the Sale of Lands late the Property of Caleb Dorsey of Ann Arundel County deceased for Payment of Legacies”

p. 727 A Bill entitled “An Act continuing An Act entitled An Act to remedy some Evils relating to Servants.

A Bill entitled “An Act continuing an Act entitled “An Act for the speedy Recovery of small Debts out of the Court before one Justice of the Peace

A Bill entitled “An Act continuing An Act entitled “An Act for imposing an Additional Duty of Two Pounds per poll on all Negroes imported into this Province.

A Bill entitled “An Act continuing An Act entitled An Act for the Gauge of Barrels of Pork, Beef, Pitch Tar, Turpentine and Tare of Barrels of Flour and Bread.”

A Bill entitled “An Act continuing An Act entitled An Act to establish a Market in Frederick Town in Frederick County and for the Regulation of the said Market.”

A Bill entitled An Act continuing An Act entitled An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law and the Supplementary Act thereto.” and

A Bill entitled “An Act for the Relief of the Poor of Saint Marys County.”

All which his Excellency passed into Laws in the usual form by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms and Subscribing them on behalf of the Right Honourable the Lord Proprietary of this Province, I will this be a Law.

Adjourned until to Morrow Morning Ten of the Clock

Saturday Morning 18.th December 1773

U. H. J.
Liber No. 36
Dec. 18

The House met again according to Adjournment

Present as yesterday.

Mess.^{rs} White and Parran bring up an Engrossed Bill entitled "An Act to render the Recovery of the Penalty for Selling Liquor without Licence more certain." Read and Assented to by the Lower House of Assembly, which was Read and Assented to by this House, and Ordered to be so Subscribed, the Paper Bill so Endorsed was sent to the Lower House by Benjamin Ogle Esquire.

Mess.^{rs} White and Parran bring up a Bill entitled An Act for the more effectual Preservation of the Breed of Wild Deer." Read the first and second Time in the Lower House and will Pass. p. 728

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Mess.^{rs} Veazey and Somerville bring up the following Engrossed Bills Read and Assented to by the Lower House of Assembly Viz.^t

A Bill entitled "An Act for an Addition to Baltimore Town in Baltimore County."

A Bill entitled "An Act to regulate the Criminal Business of Baltimore County."

A Bill entitled "An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Anne Catharine Green of the City of Annapolis Printer," and

A Bill entitled "An Act to establish a Market in Baltimore Town in Baltimore County." These Engrossed Bills were Read and Assented to by this House and Ordered to be so Subscribed—the Paper Bills so Endorsed were sent to the Lower House by John Ridout Esquire.

Benedict Calvert and Philip Thomas Lee Esquires are sent to acquaint the Members of the Lower House that his Excellency requires their attendance in the Upper House immediately to see the Bills passed this Session receive the Assent

The Lower House attend and by their Speaker present to His Excellency the following Bills Viz.^t

A Bill entitled "An Act for the Division of Dorchester and Queen Ann's Counties and for erecting a new one by the Name of Caroline"

A Bill entitled "An Act to render the Recovery of the Penalty for Selling Liquors without Licence more certain."

U. H. J. A Bill entitled “An Act to regulate the Criminal Business of
Liber No. 36 Baltimore County.”
Dec. 18

A Bill entitled “An Act for an Addition to Baltimore Town in Baltimore County”

A Bill entitled “An Act for the speedy and effectual Publication of the Laws of this Province and for the Encouragement of Ann Catharine Green of the City of Annapolis Printer.” and

p. 729 A Bill entitled “An Act to Establish a Market in Baltimore Town in Baltimore County and to regulate the said Market.”

All which his Excellency passed into Laws in the usual form by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms and Subscribing them on behalf of the Right Honourable the Lord Proprietary of this Province I Will this be a Law.

Adjourned until Monday Morning Ten of the Clock

Dec. 20 Monday Morning 20.th December 1773.

The House met again according to Adjournment

Present

The Honble	{	Benedict Calvert Esq	Daniel of S. ^t Tho. ^s Jenifer Esq
		Daniel Dulany Esq	Benjamin Ogle Esq
		John Ridout Esq	Philip Thomas Lee Esq. ^r
		George Steuart Esq	

Read the first and second Time by an Especial Order in this House and will Pass the two following Bills Viz.^t

A Bill entitled “An Act for the more effectual Preservation of the Breed of Wild Deer.”

A Bill entitled “An Act for the Repair of the Paper Currency Office.”

These two Bills were severally Endorsed and sent to the Lower House by Daniel of Saint Thomas Jenifer Esquire.

Read the second Time in this House the Bill entitled “An Act for Emitting Bills of Credit and applying part thereof.” and will Pass. So Endorsed and sent to the Lower House by Daniel of Saint Thomas Jenifer Esquire.

Mess.^{rs} Deye and Tolley bring up a Bill entitled “An Act for the Relief of the Poor within the County of Baltimore.” Read the first and second Time in the Lower House and will Pass which was Read the first and second Time by an Especial Order in this House and will Pass.— So endorsed and sent to the Lower House by Philip Thomas Lee Esquire

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

U. H. J.
Liber No. 36
Dec. 20

The House met again according to Adjournment

Present as in the Morning.

Read the second Time in this House the Bill entitled "An Act for raising and applying Money towards erecting and maintaining a Light House on Cape Henry" and will Pass. So Endorsed and sent to the Lower House by Philip Thomas Lee Esq

p. 730

Adjourned until to Morrow Morning ten of the Clock

Tuesday Morning 21.st December 1773

Dec. 21

The House met again according to Adjournment

Present as yesterday

Mess.^{rs} T Wright and Beall bring up the following Engrossed Bills Read and Assented to by the Lower House of Assembly. Viz.^t

A Bill entitled "An Act for the more effectual Preservation of the Breed of Wild Deer."

A Bill entitled "An Act for the Repair of the Paper Currency Office." and a Bill entitled "An Act for Emitting Bills of Credit and applying part thereof."— These Bills were severally Read and Assented to by this House and Ordered to be so Subscribed. the Paper Bills so Endorsed were sent to the Lower House by Benjamin Ogle Esquire.

Mess.^{rs} Lyles and Key bring up a Bill entitled "An Act for the Relief of Samuel Dorsey of Ann Arundel County." Read the first and second Time in the Lower House and will Pass which was Read the first and second Time by an Especial Order in this House and the Question was put, Whether the said Bill shall pass? Resolved in the Affirmative, and sent the Bill to the Lower House by Daniel of Saint Thomas Jenifer Esquire.— Whereupon Daniel Dulany Esq with the Leave of this House desired that his Protest might be entered, which follows Viz.^t

Dissentient

I.st Because the Owner of Property having a legal Right to give hath a legal Right to dispose of it upon what Terms (consistent with the policy of the Law) He thinks proper, and therefore whatever was the Motive of the Testator Caleb Dorsey, in devising a considerable part of his Estate to his Son Samuel upon the Condition expressed in his Will a Posterious Law professedly annulling the condition which the Testator was indubitably authorized by the prior general Law to annex to the Devise will by a Retrospective Operation rescind an Act incident to the Right of Ownership.

U. H. J.
Liber No. 36
Dec. 21

2. Because by the liberal Devise to Samuel Dorsey it appears that the Testator was very far from being destitute of the Feeling of Parental Affection, and if he had not even made any Provision for his Son Samuel in his Will, which I conceive would have been a Case of greater Compassion than that which the Petition represented, it would be a most extraordinary and unprecedented Proceeding to enact a particular Law for the very purpose of controuling the Will of the Owner of Property which under the prior general Legal Establishment He had an incontestable Authority to dispose of as he thought proper.

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3. Because the Motive of the Testator in annexing the Condition in order to prevent his Son's marrying the Woman described in his Will is not known and if known, (supposing the Effect of a Will ought to depend upon the Propriety of the Testators Motive) might appear to have been proper. In this State of uncertainty the possibility of a proper just Motive (and such may be imagined) affords I conceive a sufficient Reason for not controuling the Operation of the general established Law by which the Owner of Property is authorized to dispose of it by his Will not being inconsistent with the policy of the Law in such manner as he thinks fit

4.th Because as the Motive for Annexing the Condition to the Devise to Samuel Dorsey is not known, the Principle of this Act may be I conceive inferred to have been that the Will of a Parent ought to be controuled by a particular subsequent Legislative Act if the Majority of the Legislators in their respective Branches suspect the Motive of the Testator to have been such, as they imagine would not have influenced their Conduct in a similar Situation and that too supposed upon Conjecture only—a Principle which I conceive if maintained with consistency by future Legislators may be productive of great inconvenience.

5.th Because the Reasoning from the Circumstances that the Devises in the Will of Caleb Dorsey have joined in the Petition for the Act of Assembly, is, I conceive of little weight inasmuch as upon a Breach of the Condition annexed to the Devise to Samuel the immediate Limitation is to Edward Dorsey who is an Infant, of the Real Estate in Tail, and of the personal Estate absolutely: for the further Limitation of the Personal Estate upon the Death of Edward Dorsey the Infant without Heirs of his Body, is I conceive void and the other Devises in respect of the Limitation over to them of the real Estate upon the Death of Edward without Issue may transfer their Interest to Samuel without the aid of the Legislature and Edward Dorsey when of Age would also have it in his Power to relinquish the Benefit of the Condition in favor of Samuel; but the Act of Assembly barring the Limitation to Edward deprives the Infant of the Provision which the general Law hath Established for the Protection of Infancy.

p. 732

D. Dulany.

Read the second Time in this House the Bill entitled "An Act for the Support of the Clergy of the Church of England in this Province." and will Pass. so Endorsed and sent to the Lower House by Benjamin Ogle Esquire.

U. H. J.
Liber No. 36
Dec. 21

On Motion Leave is given to bring in a Bill entitled "An Act for the further Continuance of an Act entitled An Act for the Regulation of the Staple of Tobacco and for preventing Frauds in his Majesty's Customs." which being brought in immediately was Read the first and second Time by an Especial Order in this House and will Pass so Endorsed and sent to the Lower House by George Steuart Esquire.

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Mess.^{rs} Chase and Lloyd bring up the Bill entitled "An Act for the further Continuance of an Act entitled An Act for the Regulation of the Staple of Tobacco and for preventing Frauds in his Majesty's Customs." thus Endorsed Viz.^t "By the Lower House of Assembly December 21.st 1773 Read the first and second Time by an especial Order and will Pass with the following Amendment Viz.^t Strike out the Words from the word "during" in the last line to the end of the Bill and insert the following words Viz.^t "the Term of Fourteen Years from the sixteenth day of November 1773 and until the end of the next Session of Assembly which shall happen after the expiration of the said Fourteen Years." Signed by Order Jn^o Duckett Cl. lo. ho which said Bill was Read with the Amendment proposed by the Lower House, and sent together with the following Message by Philip Thomas Lee Esquire.

By the Upper House of Assembly 21.st December 1773

Gentlemen

We think it would not be proper to give a Continuance to the Bill herewith sent beyond the Time mentioned therein and hope you will agree to that Continuance or return it with a Negative

Signed by Order. U Scott Cl. Up. Ho.

Mess.^{rs} Hawkins and Hyland bring up the following Engrossed Bills Read and Assented to by the Lower House of Assembly Viz.^t p. 733

A Bill entitled "An Act for the Relief of Samuel Dorsey of Ann Arundel County."

A Bill entitled "An Act for the Support of the Clergy of the Church of England within this Province"—and

U. H. J.
Liber No. 36
Dec. 21

A Bill entitled “An Act for raising and applying Money towards erecting and maintaining a Light House on Cape Henry.”

These three Bills were severally Read and Assented to by this House and Ordered to be so Subscribed the Paper Bills so Endorsed were sent to the Lower House by John Ridout Esq

Mess.^{rs} A Hall and Tolley bring up an Engrossed Bill entitled “An Act for the Relief of the Poor within the County of Baltimore”

Read and Assented to by the Lower House of Assembly, which was Read and Assented to by this House and Ordered to be so Subscribed the Paper Bill so endorsed was sent to the Lower House by John Ridout Esquire.

Mess.^{rs} Chamberlaine and Sim bring up the Journal of Accounts. Read and Assented to by the Lower House of Assembly.

Adjourned until to Morrow Morning ten of the Clock

Dec. 22

Wednesday Morning 22 December 1773.

The House met again according to Adjournment

Present as yesterday.

Mess.^{rs} Lloyd and Ware bring up the Bill entitled “An Act for the further Continuance of an Act entitled An Act for the Regulation of the Staple of Tobacco and for preventing Frauds in his Majesty’s Customs” thus Endorsed Viz.^t By the Lower House of Assembly December 22.^d 1773.” The above Amendment waved Signed by Order Jn^o Duckett Cl. Lo. Ho.” which said Bill was Read in this House and passed for Engrossing.

The Engrossed Bill entitled “An Act for the further Continuance of an Act entitled An Act for the Regulation of the Staple of Tobacco and for preventing Frauds in his Majesty’s Customs.” is Read and Assented to by this House and Ordered to be so Subscribed Sent together with the Paper Bill to the Lower House by John Ridout Esquire.

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Mess.^{rs} Richardson and Key bring up the Paper Bill entitled “An Act for the further Continuance of an Act entitled An Act for the Regulation of the Staple of Tobacco and for preventing Frauds in his Majesty’s Customs.” thus Endorsed Viz.^t By the Lower House of Assembly December 22.^d 1773 “The Engrossed Bill whereof this is the Original. Read and Assented to

Signed by Order Jn^o Duckett Clk. Lo. Ho.”

Ordered that the Clerk of this House receive the same Fees on all Private Bills passed this Session as shall be paid to the Clerk of the Lower House.

Mess.^{rs} Thomas and Hammond bring up a Bill entitled “An Act

to enable the Undertaker for Building the Stadt House to cover the same with Copper." Read the first and second Time in the Lower House and will Pass. which was Read the first and second Time by an especial Order in this House and will pass. so Endorsed and sent to the Lower House by Philip Thomas Lee Esquire.

U. H. J.
Liber No. 36
Dec. 22

The following Message is sent to the Lower House by Benjamin Ogle Esquire.

By the Upper House of Assembly 22.^d December 1773

Gentlemen

Being Apprehensive on a view of the Journal of Accounts that some Omissions have been made we will if agreeable to you impower two or three Members to point out such Omissions to any Gentlemen of your House that you shall Name in order that the Journal may be corrected and a Bill framed for payment of the Publick Debt

Signed by Order U Scott Cl. Up. Ho.

Mess.^{rs} Chamberlaine Sim and Earle bring up the following Message

By the Lower House of Assembly 22.^d December 1773

May it please your Honours.

This House hath appointed Mess.^{rs} Chamberlaine Sim and Earle to whom such Omissions as may have been made in the Journal of Accounts may be pointed out and by them communicated to this House.

Signed by Order Jn^o Duckett Cl. Lo. Ho.

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Mess.^{rs} Sim and Thomas bring up an Engrossed Bill entitled "An Act to enable the Undertaker for Building the Stadt House to cover the same with Copper." Read and Assented to by the Lower House of Assembly which was Read and Assented to by this House and Ordered to be so Subscribed the Paper Bill so Endorsed was sent to the Lower House by John Ridout Esq

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Mess.^{rs} Johnson and Paca bring up the following Message Viz.^t

By the Lower House of Assembly December 22.^d 1773.

May it please your Honours.

This House having never sent up the Journal of Accounts with an Allowance of a Salary to the Clerk of the Council, apprehend it

U. H. J. to be no Omission, and expect any Proposition respecting that Claim
Liber No. 36 should be made by way of Message.
Dec. 22

Signed by Order. Jn^o Duckett Cl. Lo. Ho.

The Journal of Accounts together with the following Message is sent to the Lower House by Benjamin Ogle Esq

By the Upper House of Assembly December 22.^d 1773.

Gentlemen

On the usual Allowance being made in the Journal of Accounts to the Clerk of the Council to the time of closing the same this House will agree that no Salary shall be allowed him hereafter in the Journal as Clerk of the Council of State.

Signed by Order U Scott Clk. Up.^r Ho.

Mess.^{rs} Sim and Chamberlaine bring up the Journal of Accounts Read and Assented to by the Lower House of Assembly which was Read and Assented to by this House and sent to the Lower House by John Ridout Esq

Mess.^{rs} Hammond and Tolley bring up a Bill entitled An Act for the Payment of the Publick Creditors. Read the first and second Time by an Especial Order in the Lower House and will Pass, which was Read the first and second Time by an Especial Order in this House and will Pass. So endorsed and sent to the Lower House by George Steuart Esq

Mess.^{rs} A Hall and Bond bring up the Engrossed Bill entitled “An Act for the Payment of the Publick Creditors.” Read and Assented to by the Lower House of Assembly which was Read and Assented to by this House and Ordered to be so Subscribed—
p. 736 The Paper Bill so Endorsed is sent to the Lower House by John Ridout Esquire.

Adjourned until to Morrow Morning ten of the Clock

Dec. 23

Thursday Morning 23.^d December 1773.

The House met again according to Adjournment

Present as yesterday.

Read and referred to the Consideration of the Lower House of Assembly the Petitions of sundry Languishing Prisoners in the several Goals therein mentioned.— So endorsed and sent by Daniel of Saint Thomas Jenifer Esq

Benjamin Ogle and Philip Thomas Lee Esq.^{rs} are sent to acquaint the Members of the Lower House that His Excellency requires their attendance in the Upper House immediately to see the Bills passed this Session receive the Assent.

The Lower House attend and by their Speaker present to His Excellency the following Bills Viz.¹

U. H. J.
Liber No. 36
Dec. 23

A Bill entitled "An Act for the more effectual Preservation of the "Breed of Wild Deer."

A Bill entitled "An Act for the Repair of the Paper Currency Office"

A Bill entitled "An Act for Emitting Bills of Credit and applying part thereof."

A Bill entitled "An Act for the Relief of Samuel Dorsey of Ann Arundel County."

A Bill entitled "An Act for the support of the Clergy of the Church of England within this Province."

A Bill entitled "An Act for raising and applying Money towards erecting and maintaining a Light House on Cape Henry."

A Bill entitled "An Act for the Relief of the Poor within the County of Baltimore."

A Bill entitled "An Act for the further Continuance of an Act entitled "An Act for the Regulation of the Staple of Tobacco and for preventing Frauds in his Majesty's Customs."

A Bill entitled "An Act to enable the Undertaker for building the Stadt House to cover the same with Copper." and

A Bill entitled "An Act for the Payment of the Publick Creditors."

All which His Excellency passed into Laws in the usual form by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms and Subscribing them On behalf of the Right Honourable the Lord Proprietary of this Province I Will this be a Law. p.737

After which His Excellency was pleased to make the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly.

I have thought fit with the Advice of the Lord Proprietary's Council of State to Prorogue this Assembly to the First Monday in April next, you are therefore to take Notice that you are Prorogued to that day accordingly.

Thus ends this Session of Assembly begun and held at the City of Annapolis on Tuesday the sixteenth Day of November, ending the Twenty third day of December following in the Third year of the Dominion of the Right Honourable Henry Harford Esq^r Anno Domini 1773.

U Scott Cl: Up: Ho:

VOTES AND PROCEEDINGS
OF THE
LOWER HOUSE OF ASSEMBLY
OF THE
PROVINCE OF MARYLAND.

NOVEMBER SESSION, 1773.

Being the SECOND SESSION of this ASSEMBLY.

*Votes and
Proceedings
of the Lower
House,*
printed by
A. C. Green
1773
Nov. 16
p. [43]

AT a Session of Assembly, begun and held at the City of *Annapolis*, on Tuesday the Sixteenth Day of *November*, in the Year of our Lord One Thousand Seven Hundred and Seventy-three, and in the Third Year of the Dominion of the Right Honourable HENRY HARFORD, Esq; absolute Lord and Proprietary of the Province of *Maryland* (his Excellency ROBERT EDEN, Esq; being Governor) the following Delegates appeared in the Lower House of Assembly, *viz.*

The Honourable MATTHEW TILGHMAN, Esq; Speaker.

For St. MARY's County.

Mr. JOHN REEDER,
Mr. THOMAS BOND.

For KENT County.

Mr. WILLIAM RINGGOLD,
Mr. JOHN MAXWELL,
Mr. EMORY SUDLER.

*For ANNE-ARUNDEL
County.*

Mr. JOHN HALL.

For CALVERT County.

Mr. JOHN WEEMS,
Mr. WILLIAM LYLES,
Mr. RICHARD PARRAN.

*For BALTIMORE
County.*

Mr. THOMAS COCKEY DEYE.

For CHARLES County.

Mr. WILLIAM SMALLWOOD,
Mr. JOSIAS HAWKINS,
Mr. FRANCIS WARE.

For TALBOT County.

Mr. JAMES LLOYD CHAMBER-
LAINE,
Mr. NICHOLAS THOMAS,
Mr. EDWARD LLOYD.

*For DORCHESTER
County.*

Mr. WILLIAM RICHARDSON,
Mr. THOMAS WHITE.

For CÆCIL County.

Mr. JOHN VEAZY,
Mr. JOSEPH GILPIN,
Mr. STEPHEN HYLAND.

For PRINCE-GEORGE'S
County.Mr. JOSIAS BEALL,
Mr. JOSEPH SIM.For the City of
ANNAPOLIS.Mr. WILLIAM PACA,
Mr. MATTHIAS HAMMOND.*Votes and
Proceedings
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House,
printed by
A. C. Green
Nov. 16*For QUEEN-ANNE'S
County.Mr. JOHN BROWN,
Mr. RICHARD TILGHMAN
EARLE,
Mr. SOLOMON WRIGHT.For WORCESTER
County.Mr. PETER CHAILLE,
Mr. WILLIAM PURNELL.For FREDERICK
County.Mr. HENRY GRIFFITH,
Mr. THOMAS SPRIGG WOOTTON.

A sufficient Number of Members to compose a House being convened at the House prepared by Mr. *Joshua Frazier* for the Use of the Public: ORDERED, That Mr. *Smallwood* and Mr. *Thomas* do acquaint his Excellency the Governor therewith. They return and acquaint Mr. Speaker they delivered the Message.

p. 44

Benedict Calvert and *John Ridout*, Esquires, from the Upper House, acquaint Mr. Speaker that the Governor requires the Attendance of the Members of the Lower House immediately in the Council Chamber.

Mr. Speaker left the Chair, and, attended by the Members of the Lower House, went to the Council Chamber; where his Excellency made a Speech to both Houses, in Substance as follows.

Gentlemen of both Houses,

I HAVE only to request your Attention to the several Matters recommended for your Deliberation at the last Meeting.

Mr. Speaker, attended by the Members of the Lower House, returned. Mr. Speaker resumed the Chair.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs; and that Mr. *J. Hall*, Mr. *Paca*, Mr. *Thomas*, Mr. *Lloyd*, Mr. *Beall*, Mr. *Hammond*, Mr. *Chamberlaine*, Mr. *Smallwood*, Mr. *So. Wright*, and Mr. *Earle*, do prepare and bring in the same.

The House adjourns till To-morrow Morning 9 o'Clock.

WEDNESDAY, November 17, 1773.

Nov. 17

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

Mr. *Turbutt Wright* and Mr. *Tolly* appeared in the House.

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ORDERED, That Mr. T. Wright be added to the Committee appointed to prepare and bring in the Bill for the Regulation of the Staple of Tobacco, &c.

RESOLVED, That the Hours for sitting for the Dispatch of the public Business during this Session, be from Nine o'Clock in the Morning until One in the Afternoon, and from Three till Five.

ORDERED, That a Message be prepared to the Upper House, acquainting them therewith.

ORDERED, That the Rules of last Convention be observed as the Rules of this Session.

ORDERED, That Mr. *Turbutt Wright*, Mr. *Hammond*, Mr. *J. Hall*, Mr. *Wootton*, and Mr. *Lyles*, be a Committee of Elections and Privileges.

Mr. *Beall*, Mr. *Chamberlaine*, Mr. *Paca*, Mr. *Thomas*, Mr. *Lloyd*, Mr. *Reeder*, and Mr. *Deye*, a Committee of Grievances and Courts of Justice.

Mr. *Chamberlaine*, Mr. *Deye*, Mr. *Sim*, Mr. *Wootton*, Mr. *Earle*, Mr. *Veazy*, Mr. *Griffith*, Mr. *Richardson*, and Mr. *Weems*, a Committee of Accounts.

Mr. *Beall*, Mr. *T. Wright*, Mr. *Bond*, Mr. *Sudler*, Mr. *Parran*, Mr. *Hawkins*, and Mr. *Gilpin*, a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

ORDERED, That a Message be prepared to the Upper House acquainting them therewith.

ORDERED, That Mr. *Thomas*, Mr. *Hawkins*, Mr. *Griffith*, Mr. *J. Hall*, Mr. *Wootton*, Mr. *Ringgold*, Mr. *Smallwood*, and Mr. *So. Wright*, be a Committee to inspect into the several public Offices, and report to the House the State and Condition of them.

Mr. *Lloyd*, Mr. *Ware*, Mr. *Sim*, Mr. *Deye*, Mr. *Weems*, Mr. *Griffith*, and Mr. *Veazy*, a Committee to inspect into the State of the Arms and Ammunition.

The House appoint Mr. *Gabriel Duvall* and Mr. *John Courts Jones* Committee Clerks. ORDERED, That they be qualified.

ORDERED, That Mr. *Paca* do acquaint the Reverend Mr. *Love*, that he is desired by this House to read Divine Service every Morning during this Session at Nine O'Clock.

The following Messages, *viz.*

By the LOWER HOUSE of ASSEMBLY, November 17, 1773.

May it please your HONOURS,

THIS House hath appointed from Nine o'Clock in the Morning until One in the Afternoon, and from Three till Five, for its sitting every Day during this Session for the Dispatch of the public Business.

Signed by Order, JOHN DUCKETT, Cl. Lo. Ho.

By the LOWER HOUSE of ASSEMBLY, November 17, 1773.

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May it please your HONOURS,

THIS House hath appointed Messrs. *Beall, T. Wright, Bond, Sudler, Parran, Hawkins, and Gilpin*, to join one or more of the Members of your House as a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

Signed by Order, JOHN DUCKETT, Cl. Lo. Ho.

Were sent to the Upper House by Mr. *Hawkins* and Mr. *Sudler*.

Benjamin Ogle, Esq; from the Upper House delivers to Mr. Speaker the following Message.

By the UPPER HOUSE of ASSEMBLY, November 17, 1773.
GENTLEMEN,

THIS House hath appointed *Benedict Calvert* and *Daniel of Saint Thomas Jenifer, Esquires*, to join the Members named by your House, in a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

Signed by Order, U. SCOTT, Cl. Up. Ho.

The House being informed, that Mr. *Jacob Funk*, a Delegate returned for *Frederick County* to serve in this present General Assembly was attending; ORDERED, That Mr. *Griffith* and Mr. *Wootton* do go with that Gentleman to the Upper House to see him qualified. They return and acquaint Mr. Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

Philip Thomas Lee, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry Inhabitants of *Saint Mary's, Calvert, Charles, and Prince-George's Counties*, praying that an Act may pass for the Sale of the present Free Schools, together with their Lands in those Four Counties, and the Monies arising from the Sales thereof, with the Arrears now due to the said Schools, as also what may hereafter become due from the public Treasurers, may be appropriated to erect and endow one large School or Seminary of Learning to be called _____ at the Place called *Cool Springs*, in *Saint Mary's County*.

Mr. *J. Hall* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs.*

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

Mr. *Ridgely* and Mr. *Contee* appeared in the House.

The Bill, entitled, *An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*, was

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read the First and Second Time by an especial Order, and passed unanimously.

RESOLVED, That the said Bill be carried to the Upper House by Mr. Speaker, attended by the whole House.

The House adjourns till To-morrow Morning 9 o'Clock.

Nov. 18

THURSDAY, *November 18, 1773.*

THE HOUSE met. All members present as on Yesterday. The Proceedings of Yesterday were read.

Mr. *Robins* and Mr. *Beatty* appeared in the House.

ORDERED, That Mr. *Contee* be added to the Committee appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

Mr. Speaker, attended by the Members of the Lower House, went to the Upper House, with the Bill, entitled, *An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs.* The House returned. Mr. Speaker resumed the Chair.

On Motion, That the Reverend Mr. *David Love* have an Allowance made him for his Attendance on this House, at the last Meeting in *October*, to perform divine Service: RESOLVED, That, in Consideration of the voluntary Offer made by that Reverend Gentleman, and the serious Regard he has thereby shewn to Religion, especially by the laudable Manner in which he offered his Service, declaring, that although he should be perfectly satisfied with whatever this House should think proper to allow him, yet that so decent a Custom should be kept up, he would most willingly perform the Service without any Reward, and in Consideration also of his Trouble in daily attending this House, on Account of his Residence in the Country in a different Parish, he be allowed on the Journal of Accounts the Quantity of Three Thousand Two Hundred Pounds of Tobacco for his Service at the last Meeting.

On Motion, ORDERED, That Leave be given to bring in a Bill to regulate the Fees of Officers and Lawyers, and that Mr. *Lloyd*, Mr. *Beall*, Mr. *Thomas*, Mr. *Sim*, Mr. *J. Hall*, Mr. *So. Wright*, Mr. *T. Wright*, Mr. *Hammond*, Mr. *Chamberlaine*, Mr. *White*, Mr. *Brown*, Mr. *Earle*, and Mr. *Tolly*, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Relief of insolvent Debtors, and that Mr. *So. Wright*, Mr. *Paca*, Mr. *Beall*, Mr. *Smallwood*, Mr. *Sim*, Mr. *J. Hall*, and Mr. *Wootton*, do prepare and bring in the same.

On Motion, Leave given to bring in a Bill for quieting sundry the Inhabitants of *Frederick* County in their Possessions.

On Motion, ORDERED, That Leave be given to bring in a Bill for more effectually preventing the buying and selling of Offices, and that Mr. *T. Wright*, Mr. *Wootton*, Mr. *Earle*, Mr. *Paca*, Mr. *J. Hall*, Mr. *Smalkwood*, and Mr. *Ringgold*, do prepare and bring in the same.

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On Motion, Leave given to bring in a Bill pursuant to the Report brought in last Convention upon the Petition of *Edward Smoot*.

On Motion, ORDERED, That Leave be given to bring in a Bill to impower the Justices of *Worcester* County, to levy on the taxable Inhabitants of *All-Hallows* Parish in said County, the Quantity of Forty-five Thousand Pounds of Tobacco for the Use therein mentioned, and that Mr. *Robins*, Mr. *Chaille*, and Mr. *Purnell*, do prepare and bring in the same.

On Motion, Leave given to bring in a Bill pursuant to the Report brought in last Convention, upon the Petition of *Michael Tom* and others.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Amendment of the Law in the Cases therein mentioned, and that Mr. *So. Wright*, Mr. *Paca*, Mr. *Hammond*, Mr. *Deye*, Mr. *Tolly*, and Mr. *J. Hall*, do prepare and bring in the same.

On Motion, Leave given to bring in a Bill to explain an Act relating to Leases made by the Rector, Vestrymen, and Churchwardens, of *Saint Anne's* Parish.

On Motion, ORDERED, That Leave be given to bring in a Bill, entitled, *A Supplement to the Act, entitled, An Act for the building of a Parish Church in Christ Church Parish, in Calvert County*, and that Mr. *Weems*, Mr. *Lyles*, Mr. *Parran*, and Mr. *Paca*, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Relief of the Poor in *Saint Mary's* County, and that Mr. *Bond*, Mr. *Reeder*, Mr. *Smalkwood*, and Mr. *J. Hall*, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill to revive and aid the Proceedings of *Cæcil* County Court, and that Mr. *Veazy*, Mr. *Gilpin*, Mr. *Hyland*, and Mr. *So. Wright*, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Sale of the Capital Bank Stock belonging to this Province, and that Mr. *Beall*, Mr. *J. Hall*, Mr. *Griffith*, Mr. *Contee*, Mr. *Paca*, and Mr. *Chamberlaine*, do prepare and bring in the same.

On Motion, Leave given to bring in a Bill pursuant to the Prayer of the Petition of *Martha Roundell* and others, preferred last Meeting.

The House appoints Mr. *Benjamin Ford* a Committee Clerk. ORDERED, That he be qualified.

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ORDERED, That Mr. *Beall*, Mr. *Richardson*, Mr. *So. Wright*, and Mr. *T. Wright*, be a Committee to enquire what Laws will expire with the Close of this Session.

Mr. *Paca* is added to the Committee of Elections and Privileges.

A Bill, entitled, *An Act to explain an Act relating to Leases made by the Rector, Vestrymen, and Churchwardens of Saint Anne's Parish*, was read the first Time and ordered to lie on the Table.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met. Mr. *Somervell* appeared in the House.

The following Certificates, *viz.*

ANNE-ARUNDEL I HEREBY certify, that on the 17th Day of County, *ss.* *November, 1773*, came *Gabriel Duvall* before me the Subscriber, one of the Justices of the Peace of the said County, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, *to wit.* "*I Gabriel Duvall do swear, that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk; and that I will not divulge the Secrets of the said House, or of any Committee thereof, but will in all Things well and truly demean myself, according to the best of my Skill and Knowledge. So help me GOD.*"

R. GHISELIN.

ANNE-ARUNDEL I HEREBY certify, that on the 17th Day of County, *ss.* *November, 1773*, came *John Courts Jones* before me the Subscriber, one of the Justices of the Peace of the said County, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, *viz.* "*I John Courts Jones do swear, that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk; and that I will not divulge the Secrets of the said House, or of any Committee thereof, but will in all Things well and truly demean myself, according to the best of my Skill and Knowledge. So help me GOD.*"

R. GHISELIN.

ANNE-ARUNDEL I HEREBY certify, that on the 18th Day of County, *ss.* *November, 1773*, *Benjamin Ford* came before me the Subscriber, one of his Lordship's Justices of the Peace for the County aforesaid, and took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and took the following Oath, *viz.* "*I Benjamin Ford*

do swear, that I will true Entries make of all such Matters and Things as shall be to me directed by any Committee of the Lower House of Assembly for whom I shall act as Clerk; and that I will not divulge the Secrets of the said House, or of any Committee thereof, but will in all Things well and truly demean myself, according to the best of my Skill and Knowledge. So help me GOD."

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R. GHISELIN.

Were severally read and ordered to be entered.

The House adjourns till To-morrow Morning 9 o'Clock.

FRIDAY, November 19, 1773.

Nov. 19

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read. p. 47

Mr. *Aquila Hall* and Mr. *Key* appeared in the House.

On Motion, ORDERED, That Leave be given to bring in a Bill to enable the Justices of *Somerset* and *Worcester* Counties to levy on the taxable Inhabitants of *Coventry* Parish, in the said Counties, the Quantity of Thirty Thousand Pounds of Tobacco for the Use of building a Chapel of Ease on the East Side of *Pocomoke*, in *Worcester* County, and that Mr. *Chaille*, Mr. *Robins*, Mr. *Purnell*, and Mr. *Thomas*, do prepare and bring in the same.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

The House adjourns till To-morrow Morning 9 o'Clock.

SATURDAY, November 20, 1773.

Nov. 20

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

Mr. *Beall* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Sale of the Capital Bank Stock belonging to this Province*. Which was read the first Time and ordered to lie on the Table.

A Bill, entitled, *An Act for quieting sundry the Inhabitants of Frederick County in their Possessions*, was read the first Time and ordered to lie on the Table.

Mr. *Ridgely* hath Leave of Absence till Monday next.

The House adjourns till Monday Morning 9 o'Clock.

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Nov. 22*

MONDAY, November 22, 1773.

THE House met. All Members present as on Saturday, except Mr. *Turbutt Wright*, and Mr. *Sim*. The Proceedings of Saturday were read.

Mr. *William Ennalls* and Mr. *Barnes* appeared in the House.

Mr. *So. Wright* hath Leave of Absence for a few Days.

Mr. *Ringgold* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for more effectually preventing the buying and selling of Offices*. Which was read the first Time and ordered to lie on the Table.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met. Mr. *Ridgely* appeared in the House.

The House adjourns till To-morrow Morning 9 o'Clock.

Nov. 23

TUESDAY November 23, 1773.

THE House met. All Members present as on Yesterday except Mr. *So. Wright*. The Proceedings of Yesterday were read. Mr. *Ward*, Mr. *Johnson*, Mr. *Sim*, and Mr. *Chase*, appeared in the House.

On Motion, Leave given to bring in a Bill pursuant to the Prayer of the Petition of *William Venables*, preferred last Meeting.

Mr. *Beall* brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE appointed by the Honourable Lower House of Assembly to enquire what Laws will expire with the Close of the present Session.

YOUR Committee find the following Laws will expire with the Close of this Session if not continued, *viz.*

An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, made at a Session of Assembly begun and held at the City of *Annapolis*, the 22d June, 1714.

A Supplementary Act to the Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, made at a Session of Assembly, begun and held at the City of *Annapolis*, the 3d October, 1728.

p. 48 An Act for the Gauge of Barrels of Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels of Flour or Bread, made at a Session of Assembly, begun and held at the City of *Annapolis*, the 5th August, 1745.

An Act to remedy some Evils relating to Servants, made at a Session of Assembly, begun and held at the City of *Annapolis*, the 8th May, 1750.

An Act for the speedy Recovery of small Debts out of Court before one Justice of the Peace, made at a Session of Assembly, begun and held at the City of *Annapolis*, the 4th October, 1763.

An Act for imposing an additional Duty of Two Pounds per Poll on all Negroes imported into this Province, made at a Session of Assembly, begun and held at the City of *Annapolis*, the 4th October, 1763.

An Act for abolishing *June* County Courts and for other Purposes therein mentioned, made at a Session of Assembly, begun and held at the City of *Annapolis*, the 25th September, 1770.

An Act to establish a Market in *Frederick-Town*, in *Frederick* County, and for the Regulation of the said Market, made at a Session of Assembly, begun and held at the City of *Annapolis*, the 6th November, 1770.

And your Committee further observe, that an Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of *Anne Catharine Green* of the City of *Annapolis*, Printer, expired on the 25th December, 1772.

All which is humbly submitted to the Consideration of the honourable House.

Signed by Order, JOHN COURTS JONES, Cl. Com.

Which was read.

ORDERED, That Mr. *Beall*, Mr. *Beatty*, Mr. *Earle*, Mr. *Thomas*, and Mr. *Veazy*, do prepare and bring in Bills continuing those mentioned in the said Report.

A Bill, entitled, *An Act confirming the Title of William Venables to the Lands therein mentioned*, was read the first Time and ordered to lie on the Table.

Mr. *Johnson* and Mr. *Chase* are added to the Committee appointed to prepare and bring in the Officers Fee Bill, &c.

Mr. *Hammond* brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE of Elections and Privileges,
November 19, 1773.

YOUR Committee have inspected the Indenture returned by the Sheriff of *Frederick* County, between himself and the Freeholders of said County, whereby a certain *Jacob Funk* appears to have been chosen, which we find in the usual Form, some gross Inaccuracies in the spelling excepted.

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But your Committee beg Leave to observe that the Sheriff of *Frederick County* hath not returned the Writ of Election annexed to the said Indenture. All which is submitted to the Consideration of the Honourable House.

Signed by Order, JOHN COURTS JONES, Cl. Com.

Which was read.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

Mr. *Weems* brings in and delivers to Mr. Speaker a Bill, entitled, *A Supplement to the Act, entitled, An Act for the building of a Parish Church in Christ Church Parish, in Calvert County.* Which was read the first Time and ordered to lie on the Table.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker a Petition of *George Frazier Hawkins*, surviving Executor of the last Will and Testament of *John Stone Hawkins*, late of *Prince-George's County*, deceased; setting forth that the said *John Stone Hawkins* died considerably indebted by Specialties and otherways. That the said *John Stone Hawkins* left Issue at the Time of his Death only Two Infant Daughters; to the eldest of whom he devised all his Lands (except a few which he directed to be sold for the Payment of his Debts) for Life; and in Case she should die without Issue lawfully begotten of her Body, to the Petitioner in Fee. That the Petitioner administered on the personal Estate of the Testator, and sold the Land devised for the Payment of the Testator's Debts, and administered, and applied the Money arising from the Sales thereof towards the Payment thereof. That the Petitioner being exceedingly pressed by the Creditors of the said Estate, and being willing and desirous to pay his Testator's just Debts, paid and advanced to the Creditors of the Testator (out of his own private Pocket) the Sum of 1466: 19: 7 *Maryland Currency* over and above all the Assets in his Hands belonging to the Estate of the said Testator: And therefore praying an Act may pass empowering him to sell the following Tracts or Parcels of Land lying in *Prince-George's County*, viz. *Something*, containing 49 Acres; *Merry Thought*, containing 40 Acres; *God's Gift*, containing 117 Acres; Part of *Never Fear*, containing 15 Acres; Part of *Hazard*, containing 1 Acre; Part of *Hawkins's Lot*, containing 184 Acres: Also, Part of a Tract or Parcel of Land lying in *Frederick County*, called *John and Priscilla*, containing 62½ Acres; and apply the Money arising from the Sales thereof towards reimbursing the Petitioner what he hath advanced; and the Residue, if any, towards paying the Creditors of the Deceased their Claims; thus indorsed;

"By the Upper House of Assembly, November 23, 1773: Read and referred to the "Consideration of the Lower House of Assembly.

"Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here and ordered to lie on the Table.

The House adjourns till To-morrow Morning 9 o'Clock.

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W E D N E S D A Y, November 24, 1773.

Nov. 24

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read. Mr. Tyler appeared in the House.

Mr. Ringgold and Mr. Sudler have Leave of Absence for a few Days.

On reading a Second Time the Report from the Committee of Elections and Privileges, ORDERED, That the Sheriff of *Frederick* County do immediately attend at the Bar of this House, and bring with him the Writ of Election issued last Meeting of Assembly, for the Election of a Delegate for *Frederick* County, in the Room of Mr. *Jonathan Hagar*, whose Seat was declared vacant, to amend his Return by annexing the said Writ to the Indenture.

ORDERED, That the Serjeant at Arms attending this House do serve the said Sheriff with a Copy of the above Order.

Mr. Beall brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act to continue the Acts of Assembly therein mentioned.* Which was read the first Time and ordered to lie on the Table.

The House adjourns till 3 o'Clock

POST MERIDIEM.

The House met.

The Petition of *George Frazier Hawkins* was read a Second Time. ORDERED, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House, and Mr. Beall, Mr. Tyler, Mr. Sim, and Mr. Contee are appointed a Committee accordingly, and they have Power to send for Persons, Papers, and Records.

William Hayward, Esq; from the Upper House, delivers to Mr. Speaker a Petition of *John Glassford*, Merchant, in *Great-Britain*, setting forth that a certain *Hugh Mitchell*, in *Charles* County, being seized in Fee Simple of the Moiety of a Lot of Ground, No. 46, in *Charles-Town*, commonly called *Port-Tobacco* in the said County, did in the Year 1756, contract with a certain *William Gammell*, deceased, who was then Agent for the Petitioner for the Sale of his Part of the said Lot. That the said *Hugh Mitchell* died in the Year 1761, leaving

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a Son and Heir at Law without having executed any Deed of Conveyance for the said Lot, or taking any Notice thereof in his last Will: And therefore praying an Act may pass to confirm his Title in the said Lot. And a Petition of *Charles Ridgely* and others, praying an Act may pass to impower them to sell and dispose of a Furnace and Works, together with sundry Lands belonging thereto, for the Benefit of the Estate of *Caleb Dorsey*; late of *Anne-Arundel* County, deceased, severally indorsed; “By the Upper House of Assembly, *November 24, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

“Signed by Order, U. SCOTT, Cl. Up. Ho.”

Which were severally read here the first Time and ordered to lie on the Table.

The House adjourns till To-morrow Morning 9 o’Clock.

Nov. 25

THURSDAY, *November 25, 1773.*

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

A Bill, entitled, *An Act to enable Edward Smoot, surviving Executor of Boles Tyer Balthrop, to convey the Land therein mentioned*; And a Bill, entitled, *An Act to enable Martha Roundell and others to make Partition of the Land therein mentioned*; were severally read the first Time and ordered to lie on the Table.

The Petition of *Charles Ridgely* and others was read a Second Time. ORDERED, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House, and Mr. *J. Hall*, Mr. *Deye*, Mr. *Chase*, Mr. *Johnson*, and Mr. *Tolly*, are appointed a Committee accordingly, and they have Power to send for Persons, Papers, and Records.

Upon Complaint made by the Serjeant at Arms and the Clerk of this House, that *John Frederick Augustus Priggs*, had not paid them their Fees and Allowances, taxed by the late Lower House of Assembly, and for a Contempt in Non payment, whereof he had
p. 50 been committed to the Custody of the Serjeant at Arms. It is ordered, that he immediately pay the same to the said Serjeant and Clerk, and that he be served with a Copy of this Order.

The House adjourns till 3 o’Clock

POST MERIDIEM.

The House met.

Mr. *Sim* brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE appointed to enquire into the Truth of the Facts contained in the Petition of George Frazier Hawkins, surviving Executor of John Stone Hawkins, deceased.

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IN Obedience to the Order of the Honourable House, your Committee have enquired into the Facts aforesaid, and do find that the said *John Stone Hawkins*, by his last Will and Testament, dated the 25th Day of *November, 1763*, devised Part of his real Estate to be sold for Payment of Debts, and all the Remainder of his Lands or real Estate, he gave to his Daughter *Susannah Priscilla*, in Tail, with divers Remainders over, as by Copy of said Will hereunto annexed will appear, and therein appointed the Petitioner and a certain *George Frazier*, since deceased, his Executors: That the said *Susannah Priscilla* is still living, a Minor under the Age of Fourteen Years: And your Committee further find, that by the last Settlement made with the Commissary General (including an Allowance of One Thousand Pounds *Maryland Currency* for Lands sold) it appears that there is a Balance due to the said *George Frazier Hawkins*, Executor as aforesaid, of Fourteen Hundred and Sixty-six Pounds Nineteen Shillings and Seven-pence Gold Currency: And your Committee have examined the said Settlement and find it right, except an Error of a few Shillings in casting up, which reduces said Balance to Fourteen Hundred and Sixty-six Pounds Three Shillings and Five-pence Current Money aforesaid. It does not appear to your Committee that there is any other Estate of the said *John Stone Hawkins* liable to Payment of Debts, except the Land mentioned in the said Petition; all which is submitted to the Consideration of the Honourable House.

Signed per Order, G. DU VALL, Clk.

Which was read.

Upon reading whereof the Petition of *George Frazier Hawkins* was granted, and Leave given to bring in a Bill pursuant to the Prayer of the said Petition.

Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*, thus endorsed; "By the Upper House of Assembly, *November 19, 1773*: Read the first Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *November 25, 1773*: Read the Second Time and will pass with the Amendments annexed.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Leave out the Words "and at *Fenwick's Point* on *Britons-Bay* under one Inspection," in the Second Line from the Bottom of the 2d Page, and every Thing relative to the said Ware-House in the Bill.

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After the Word “thereof,” in the Fourth Line from the Top in the Tenth Page, insert these Words, “A Probate of the same by the Witnesses thereto being lodged with such Bond.”

After the Word “Province,” in the Eighth Line from the Bottom of the 19th Page, leave out the Words “or by Persons actually exercising the Office of Vestrymen and Churchwardens.”

In the Third Line from the Top of the 55th Page, leave out the Words “in every Court of Record within this Province,” and also the Words “in any Court of Record,” in Page 68.

After the Words (in Page 114) “if the same exceed Six Hundred Pounds of Tobacco, shall and may be recovered,” leave out the Words “in any Court of Record.”

Leave out the “Proviso,” beginning in the Fifth Line from the Bottom of Page 89, and ending in the Second Line from the Top of Page 90.

Leave out the last Clause next preceding the Clause of Continuance, and in the last Clause insert “Three” instead of “Fourteen.”

And the following Message.

By the UPPER HOUSE of ASSEMBLY, November 25, 1773.

GENTLEMEN,

SHOULD you think proper to agree to our Proposal on remitting the Bill, entitled, *An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*, at the late Convention in Respect to the Clergy, we shall be willing to give our Assent to the Bill now returned, on such Amendments being made as may answer the Purposes of that Proposal: If you should not think proper to agree to such Amendments, but choose that a Law may be enacted merely to regulate our Staple of Tobacco, entirely distinct from, and independent of, every other Object, we will assent to the Bill which this Message accompanies, upon your agreeing to the Amendments now proposed. Your published Resolve, that “The Act for the Establishment of Religious Worship in this Province according to the Church of *England*, and for the Maintenance of Ministers,” is not in Force, cannot regularly affect the Question, whether it is or not, a valid, existing Law. The Members of your House have heretofore, in a very great Variety of instances, expressed a different Sentiment in the regular Course of solemn, legislative Acts, and should this Act be established by the proper, legal Authority, the Planters may think it an Hardship to be compelled to pay 40 instead of 30 per Poll in inspected Tobacco, and the Farmers, and others not making Tobacco, to be under the Disadvantage of making a Composition for the 40 per Poll, instead of being allowed to discharge the Claim, at an easy fixed Rate in Money. The Proposal respecting the Claim of the Clergy, which we

made at the late Convention, if you should think proper to agree to it, would guard against these inconvenient Consequences of your Opinion, should the proper, regular, legal Authority determine the Act for the Establishment of Religious Worship, &c. to be in full Force, and the proposed Alternative give a Prospect of great Relief to the Planters. Many, at least Nine Vacancies by the Death and Removal of Ministers, have happened since *October* Session, 1771, when this Alternative on their Death, or Removal, was first proposed, and, upon the happening of such Events hereafter, the Makers of Tobacco may regret their not being allowed to pay in Tobacco or Money, at the easy Rate of Four Shillings. As a Law, (the Claim of the Clergy to merchantable Tobacco being considered) calculated merely for the Regulation of this Staple, and to ascertain its merchantable Quality, may prove to be inconvenient, so we have proposed a Duration for Three Years only.

Signed by Order, U. SCOTT, Cl. Up. Ho.

Which said Message and Amendments were severally read the first Time and ordered to lie on the Table.

The House adjourns till To-morrow Morning 9 o'Clock.

FRIDAY *November* 26, 1773.

Nov. 26

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

The Message brought from the Upper House Yesterday, accompanying the Inspection Bill, and the Amendments proposed, were severally read a Second Time, and the Amendments were agree to, and the Bill passed for ingrossing.

Mr. *Funk*, being unwell, hath Leave of Absence.

The House adjourns till 3 o'Clock

POST MERIDIEM.

The House met.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry subscribing Inhabitants of *Baltimore County*, praying that an Act may pass similar to the Act passed in the Year 1768, for the Relief of the Poor in that County. And further praying, that a Sum of Money not less than Four Thousand Pounds Current Money may be appropriated to the Purpose of building and erecting an Alms and Work-House in the said County. And also, praying that the said Sum may be paid and advanced by the Commissioners or Trustees of the Paper Currency Office, out of the Interest Money or any other Money that may come to their Hands, and that the said Money be repaid to the Public, with In-

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terest, by the County; thus indorsed: "By the Upper House of Assembly, November 26, 1773: Read and referred to the "Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

On Motion, ORDERED, That Mr. *J. Hall*, Mr. *Chase*, Mr. *Johnson*, Mr. *Paca*, Mr. *Chamberlaine*, Mr. *Griffith*, and Mr. *Beall*, do prepare a Message to the Upper House in answer to their Message of Yesterday.

Mr. *Ridgely* hath Leave of Absence till Monday next.

Mr. *Parran*, Mr. *Lloyd*, Mr. *Tolly*, Mr. *Reeder*, and Mr. *Weems*, have Leave of Absence for a few Days.

The House adjourns till To-morrow Morning 9 o'Clock.

Nov. 27

SATURDAY, November 27, 1773.

THE House met. All Members present as on Yesterday, except Mr. *Reeder*, Mr. *Ringgold*, Mr. *Sudler*, Mr. *Parran*, Mr. *Lloyd*, Mr. *Hammond*, and Mr. *Funk*. The Proceedings of Yesterday were read.

Mr. *Contee*, Mr. *Richardson*, and Mr. *Hawkins*, have Leave of Absence for a few Days.

p. 52 The Bill, entitled, *An Act to explain an Act, relating to Leases, made by the Rector, Vestrymen, and Churchwardens of Saint Anne's Parish*; The Bill, entitled, *An Act for quieting sundry the Inhabitants of Frederick County in their Possessions*; The Bill, entitled, *An Act for the Sale of the Capital Bank Stock belonging to this Province*; The Bill, entitled, *A Supplement to the Act, entitled, An Act for the building of a Parish Church in Christ Church Parish, in Calvert County*; The Bill entitled, *An Act to enable Martha Roundell and others, to make Partition of the Lands therein mentioned*; And the Bill, entitled, *An Act to continue the Acts of Assembly therein mentioned*, were severally read the Second Time, passed, and sent to the Upper House by Mr. *Sim* and Mr. *Brown*.

Mr. *Beall* brings in and delivers to Mr. Speaker the following Report.

MARYLAND, ss. **A**T a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly,

WERE PRESENT,

The	} BENEDICT CALVERT, Esq;	} of the Upper
Honourable			DANIEL OF ST. THOMAS JENIFER, Esq;	House;
	Mr. JOSIAS BEALL,	} of the Lower House;
	Mr. THOMAS CONTEE,	
	Mr. TURBUTT WRIGHT,	
	Mr. THOMAS BOND,	
	Mr. EMORY SUDLER,	
	Mr. RICHARD PARRAN,	
	Mr. JOSIAS HAWKINS,	
	Mr. JOSEPH GILPIN,	

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Who make Choice of, and appoint the Honourable *Benedict Calvert*, Esq; Chairman, and *J. Brooks* their Clerk, and agree to make the following Report, *viz.*

YOUR Committee find by an Account from the Trustees in *London*, dated the 29th Day of *April*, 1773, that they have paid the late Commissioners Draft to *William Worthington*, for £.637:16 Sterling, and that they have purchased since *October* Session, 1770, Capital Stock in the Bank of *England* to the Amount of £.2850, that there was then £.27,500 Capital Stock in the said Bank, which Cost the Sum of £.34,003:4 Sterling belonging to this Province, and a Balance of £.348:7:6 Sterling in their Hands not invested.

Your Committee also find, that the Commissioners have since *October* Session, 1770, paid to sundry Claimants on the Journal of Accounts and List of Debts, out of the Bills of Credit emitted for that Purpose, and for which they have produced to your Committee the necessary Vouchers and Receipts, the Sum of

.....	} Dollars
	764 $\frac{17}{18}$
To sundry Persons for torn and defaced Bills, which your Committee have counted and burnt this present Session,	} 1,879 $\frac{7}{18}$
That there is still due to sundry Claimants on the Journal of Accounts and List of Debts,	} 1,604 $\frac{2}{18}$
And that there remains in the Office in Bills of Credit, of the Emission in 1767, unapplied,	} 13,638 $\frac{17}{18}$

17,887 $\frac{17}{18}$

That it appears by the Accounts of the Commissioners for emitting Bills of Credit, which your Committee have examined, there has arisen due from sundry Persons for Interest on their several Bonds to the 29th of *October* last, the Sum of £.10,055:1:10 $\frac{1}{2}$ Sterling, of which they have received £.9,571:13:1 $\frac{1}{2}$ Sterling, and

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there remains due the Sum of £.483:8:9 Sterling: That the said Commissioners have since the last Report received the Sum of £.1959:16:3 Current Money for Ordinary Licences: That it appears by the Books in their Office there is still due from sundry Sheriffs down to the Year 1772, the Sum of £.587:10:3, and that none of the Sheriffs have yet accounted for the Ordinary Licence Money, by them collected for the present Year, except the Sum of £.146:14:5 received from the Sheriffs of *Queen-Anne's* and *Prince-George's* Counties, which now remains in the Office in Bills of Credit of the Emission of 1767; wherefore your Committee beg Leave to report to the Honourable Houses a List of the Sheriffs who are now indebted to this Province on Account of the several Sums of Money by them received for Ordinary Licences, *viz.*

			Gold Currency
p. 53	<i>Normand Bruce</i> , late Sheriff of <i>Frederick</i> County,	}	
	for the Balance of his Account in 1771,		10 0 2
	<i>John Addison</i> , late Sheriff of <i>Prince-George's</i> County, for the Balance	}	
	of his Account in the Year 1769,		21 9 6
	in 1770,		46 7 10
	in 1771,		31 19 8
			<hr/> £.99 17
	<i>George Lee</i> , Sheriff of <i>Charles</i> County, for his Balance in 1772,		53 19 10
	<i>Robert Watts</i> , late Sheriff of <i>St. Mary's</i> County, for a Balance in 1770,		9 2
	<i>Jenifer Taylor</i> , Sheriff of <i>St. Mary's</i> County, for the Balance of his Account in 1771,	}	
	in 1772,		4 8
			31 16 6
			<hr/> 36 4 6
	<i>Daniel Sulivane</i> , Sheriff of <i>Dorchester</i> County, for a Balance in 1772,		57 0 0
	<i>Thomas Smyth</i> , Sheriff of <i>Kent</i> County, for Balance of his Account in 1772,		53 4 0
	<i>Richard Thomas</i> , late Sheriff of <i>Cæcil</i> County, for Balance of his Account in the Year 1770,	}	
	in 1771,		49 8 0
	in 1772,		57 15 10
			31 14 11
			<hr/> 138 18 9

<i>John Hamilton</i> , Sheriff of <i>Cæcil</i> County for Balance of Ordinary Licence Money by him received at <i>November</i> Court 1772,	}	11	8	0	<i>Votes and Proceedings of the Lower House, printed by A. C. Green Nov. 27</i>
<i>Alexander Calder</i> , late Sheriff of <i>Kent</i> County, for the Balance of his Account in the Year 1770,		60	16	0	
in 1771,	57	0	0		
		117	16	0	
		<hr/>			
		£.587	10	3	
<i>Lawrence Oneal</i> , Sheriff of <i>Frederick</i> County, for the Balance of his Account in 1773,	}	£.156	15	0	
<i>John Robert Holliday</i> , Sheriff of <i>Baltimore</i> , for ditto in 1773,		201	8	0	
<i>William Noke</i> , Sheriff of <i>Anne-Arundel</i> , for ditto in ditto,		79	16	0	
<i>George Lee</i> , Sheriff of <i>Charles</i> , for ditto in ditto,		17	14	8	
<i>William Thomas</i> , Sheriff of <i>Talbot</i> , for ditto in ditto		19	15	10	
<i>Thomas Smyth</i> , Sheriff of <i>Kent</i> , for ditto in ditto,		49	8	0	
		524	17	6	
		<hr/>			
		£.1,112	7	9	
<i>Jenifer Taylor</i> , Sheriff of <i>St. Mary's</i> , for Balance of his Account in 1773		(No List returned)			
<i>Parker Selby</i> , Sheriff of <i>Worcester</i> , for ditto,		ditto			
<i>George Dashiell</i> , Sheriff of <i>Somerset</i> , for ditto,		ditto			
<i>Daniel Sulivane</i> , Sheriff of <i>Dorchester</i> , for ditto,		ditto			
<i>John Hamilton</i> , Sheriff of <i>Cæcil</i> , ditto,		ditto			
<i>Clement Smith</i> , Sheriff of <i>Calvert</i> , ditto,		ditto			

That your Committee cannot at present report what Sums of Money are due from the abovementioned Sheriffs of *Saint Mary's*, *Worcester*, *Somerset*, *Dorchester*, *Cæcil*, and *Calvert* Counties, on Account of Ordinary Licences, for want of the several Clerks Lists for those Counties which have not yet been returned to the Commissioners. Your Committee have examined the several Bonds taken by the Commissioners, for Bills of Credit, and Gold and Silver lent to sundry Persons on Interest, and compared the same with a List thereof, amounting to £.88,029:11:3 Sterling. Your Committee have also examined the State of the Eighteen Thousand Dollars emitted to change torn and defaced Bills, and find that the Commissioners have paid to sundry Persons for Bills of Credit, which

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your Committee have counted and burnt this present Session, 535 Dollars; and that there remains in the Office for the Purpose of changing torn and defaced Bills of Credit, the Sum of 7905 $\frac{1}{8}$ Dollars.

That the said Commissioners have since the last Report paid away to *Charles Wallace*, the Sum of £.4953 Sterling at sundry Times, by virtue of Orders from the Superintendants of the public Building in the City of *Annapolis*; for Office Expences including their and their Clerk's Salaries, the Sum of £.640: 15: 0 $\frac{1}{2}$ Sterling; and for a Bill of Exchange, the Sum of £.30 Sterling remitted for Stationary pursuant to an Act of Assembly passed at *June Session*, 1773, for all which the said Commissioners have produced to your Committee the necessary Vouchers and Receipts; and that there now remains in the Office, the Sum of £.1053: 19: 3 $\frac{3}{4}$ Sterling of which there is the Sum of £.1049: 13: 3 Sterling in Bills of Credit of the Emission in 1767, and the remaining Balance of £.4: 6: 4 $\frac{3}{4}$ Sterling consists of Gold and Silver, and Bills of Credit emitted in the Year 1770.

Your Committee further report, that the Accounts of the said Commissioners are clear and regularly stated, in Consequence of which they have been able to subjoin the following State of the pecuniary Property of this Province under their Management, and where the same is vested, *viz.*

p. 54 1773 The Province of MARYLAND Dr.

To Bills of Credit of the	Currency rating	Sterling
Emission in 1767, to be sunk,	Dollars at 7/6	
paid sundry Claimants by vir-	each	
tue of different Acts of Assem-	57,362: 4: 9	
bly,		

To Bills of Credit of the	
Emission in 1767, to be sunk,	
paid <i>Beddingfield Hands</i> , Esq;	
late Treasurer of the <i>Eastern-</i>	
<i>Shore</i> , per Act of Assembly,	638: 13: 3

To Bills of Credit of the	
Emission in 1767 to be sunk,	
that still remains due to sundry	
Claimants on the Journal of	
Accounts and List of Debts,	601: 15: 0
	<hr/>
	£.58,602: 13: 0
	at 66 $\frac{2}{3}$ per Cent

To Bills of Credit emitted in	Discount	is	35,161	11	9 $\frac{1}{2}$
1770, to be sunk,			67,500
To Balance due the Province,			26,698	1	7 $\frac{3}{4}$
			<hr/>		
			£.129,359	13	5 $\frac{1}{4}$
			<hr/>		

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		Sterling		
	By the Bank of <i>England</i> for £.27,500 Capital Stock supposed to be of the Value of 140 per Cent. equal to,	38,500		
	By <i>Osgood Hanbury, Silvanus Grove, and James Russell</i> , for a Balance in their Hands,	348	7 6	
	By Sundries for Gold and Silver, and Bills of Credit, lent them on their Bonds with Security in this Province,	88,029	11 3	
	By Sundries for Interest now due from them,	483	8 9	
	By sundry Sheriffs received of them for Ord- inary Licences on Account of the Year 1773 £.146:14:5 Gold Currency, which now remains in the Office of the Emission in 1767, at 33½ per Cent. Discount,	110	0 9½	
	By sundry Sheriffs for the nett Amount of Ordinary Licences due from them so far as Lists have been received £.1112:7:9 Gold at 33½ Dis- count.	834	5 9½	
	By sundry Persons received of them for Inter- est which now remains in the Office of the Emis- sion in 1767,	1,049	13 3	
	By Sundries for Interest now in the Office in Bills of Credit of the Emission in 1770, and Gold and Silver,	4	0 0¾	
		£.129,359	13 5¼	
	By Balance due this Province,	26,698	1 7¾	
	By nett Amount of Ordinary Licences for the Year 1773, due from the Sheriffs of <i>St. Mary's, Calvert, Cæcil, Dorchester, Somerset and Worces- ter</i> Counties, which cannot at present be ascertained for want of the Clerk's Lists,			

Your Committee find that by a Report in *November* Session, p. 55
1765, it appears that the Sum of £.73:17:2 Current Money was
then due from the Collector of the Land Tax, for *Queen-Anne's*
County, for the Half Year ending the 29th of *September*, 1763,
and that the said Sum hath not yet been paid in.

Your Committee further report, That the House wherein the
Commissioners for emitting Bills of Credit keep their Office is in
such a ruinous State, that they are for the present under the Necessity
of having it propped up, as the Walls are much cracked, which your
Committee apprehend is owing to the great Weight of a Brick

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Arch that covers the said House. All which is submitted to the Consideration of both Houses of Assembly, this 27th Day of November, Anno Domini, 1773.

BENED. CALVERT,
DAN. of St. THO. JENIFER,
JOSIAS BEALL,
THO. CONTEE,
THOMAS BOND,
JOS. GILPIN.

Mr. Deye brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE appointed to enquire into the Truth of the Facts contained in the Petition of Charles Ridgely and Rebecca his Wife, and others.

IN obedience to the Order of the Honourable House, your Committee have enquired into the Facts in said Petition contained and do find that *Caleb Dorsey*, late of *Anne-Arundel* County, Ironmaster, by his last Will and Testament, dated about the Time alleged, gave and bequeathed considerable pecuniary Legacies to his Daughters *Rebecca*, *Mary*, *Milcah*, and *Peggy*, the Wives of the Petitioners, and to his Daughter *Eleanor*, still unmarried. And that the personal Estate of the said *Caleb*, after Payment of his Debts will not be sufficient to pay off the Legacies and Bequests to his said Daughters without Sale of the Lands in said Will and Petition mentioned. Your Committee further find the other Facts in the said Petition contained to be true as therein stated. All which is submitted to the Consideration of the Honourable House.

Signed by Order, JOHN COURTS JONES, Cl. Com.

The House adjourns till Monday Morning 9 o'Clock.

Nov. 29

MONDAY, November 29, 1773.

THE House met. All Members present as on Saturday, except Mr. *Contee*, Mr. *Richardson*, Mr. *Hawkins*, Mr. *Ridgely*, Mr. *Robins*, and Mr. *Weems*. The Proceedings of Saturday were read.

The Report brought in on Saturday by Mr. *Beall* was read and ordered to lie on the Table.

The Report brought in on Saturday by Mr. *Deye* was read, and the Petition of *Charles Ridgely* and others was granted, and Leave given to the Petitioners to bring in a Bill pursuant to the Prayer of the said Petition.

The House adjourns till 3 o'Clock

POST MERIDIEM.

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The House met.

The ingrossed Bill, No. 1. was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by Mr. *Wootton* and Mr. *Veazy*.

On Motion, ORDERED, That no new Claims be received against the Public after the first Day of *December* next, and that the Journal of Accounts be closed to the Third Day of the same month.

The House adjourns till To-morrow Morning 9 o'Clock.

TUESDAY, *November 30, 1773.*

Nov. 30

THE House met. All Members present as on Yesterday, except Mr. *Johnson*. The Proceedings of Yesterday were read.

Mr. *T. Wright* and Mr. *So. Wright* appeared in the House.

William Hayward, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry the Inhabitants of *Dorchester* County, praying for a division of that County: A Petition of sundry Inhabitants of *Queen-Anne's* County, praying for a Division of *Dorchester* and *Queen-Anne's* Counties, thus indorsed: "By the Upper House of Assembly, *November 30, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

"Signed by Order, U. SCOTT, Cl. Up. Ho."

Which were read.

RESOLVED, That this House will on Monday next, take the same into Consideration. p. 56

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker a Petition for the Division of *Baltimore* County: A Petition of *Henry Waring* for a Warehouse: A Petition against the Removal of *Chaptico* and *Piles's* Warehouses; and a Petition against *Chaptico* and *Piles's* Warehouses, severally indorsed: "By the Upper House of Assembly, *November 30, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

The Petition for the Division of *Baltimore* County was read and granted, and Leave given to bring in a Bill for the Division of *Baltimore* County. ORDERED, That Mr. *Deye*, Mr. *Aq. Hall*, Mr. *Paca*, and Mr. *J. Hall*, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill to regulate the Payment of Attornies Fees; and that Mr. *Chase*, Mr. *Paca*, Mr. *J. Hall*, Mr. *Thomas*, Mr. *Beall*, Mr. *Wootton*, and Mr. *So. Wright*, do prepare and bring in the same.

Mr. *John Hall* brings in and delivers to Mr. Speaker, a Bill,

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entitled, *An Act for the Regulation of Officers Fees*: Which was read the First Time and ordered to lie on the Table.

Daniel of Saint Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bill No. 1, thus endorsed: "By the Upper House of Assembly, *November 30, 1773*: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

The Bill, entitled, *An Act to explain an Act relating to Leases, made by the Rector, Vestrymen, and Churchwardens of Saint Anne's Parish*. The Bill, entitled, *An Act for quieting sundry the Inhabitants of Frederick County in their Possessions*: And the Bill, entitled, *An Act to enable Martha Roundell and others to make Partition of the Land therein mentioned*, severally indorsed: "By the Upper House of Assembly, *November 27, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *November 30, 1773*: Read the Second Time and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which Three last mentioned Bills were severally read here and passed for ingrossing.

The House being informed that Mr. *Lawrence Oneall*, Sheriff of *Frederick County*, was attending in Obedience to the Order of Wednesday last. ORDERED, That he be called in, and he appeared at the Bar accordingly; where he was ordered to amend his Return of a Delegate for that County, in the Room of Mr. *Jonathan Hagar*, by annexing the Writ of Election to the Indenture: Which being done, Mr. *Oneall* was called to the Bar, and by Direction of the House, reprimanded by the Speaker for his Neglect of Duty, and informed that upon Payment of Fees to the Officers of this House he was discharged from further Attendance.

ORDERED, That Mr. *Beall* and Mr. *Paca* be a Committee to tax the Fees arising due upon the said Order of Wednesday last.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker a Bill, entitled, *An Act for the Amendment of the Law*, thus indorsed: "By the Upper House of Assembly, *November 30, 1773*: Read the First and Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

And a Petition of *Mary Ann Christy Abigal Armitt*, of *Frederick County*, praying an Act may pass to declare her Marriage with a Certain *Samuel Armitt*, null and void to all Intents and Purposes whatsoever, as fully and effectually as if the same had not been had or taken Place between the said *Samuel Armitt* and the Petitioner,

thus indorsed: "By the Upper House of Assembly, *November 30, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

The House adjourns till 3 o'Clock

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POST MERIDIEM.

The House met.

Mr. *Ridgely* and Mr. *Robins* appeared in the House.

The ingrossed Bills, No. 2, 3, 4, were severally read and assented to, and sent to the Upper House with the Paper Bills thereof, by Mr. *Beall* and Mr. *Griffith*.

Benedict Calvert and *Daniel Dulany*, Esqrs. from the Upper House, acquaint Mr. Speaker that the Governor desires the Attendance of this House immediately in the Council Chamber to see the Inspection Law passed.

Mr. Speaker left the Chair, and attended by the Members of the Lower House, went to the Upper House and presented to his Excellency an ingrossed Bill, entitled, *An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*: Which his Excellency passed into a Law in the usual Manner.

The House returned. Mr. Speaker resumed the Chair.

The House adjourns till To-morrow Morning 9 o'Clock.

WEDNESDAY, December 1, 1773.

Dec. 1

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read. p. 57

Mr. *Weems* appeared in the House.

Mr. *White* hath Leave of Absence for a few Days.

Mr. *Griffith* hath Leave of Absence till Monday next.

George Plater, Esq; from the Upper House, delivers to Mr. Speaker the ingrossed Bills, No. 2, 3, 4, severally indorsed: "By the Upper House of Assembly, *November 30, 1773*: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

And a Petition of *Alexander Somervell*, setting forth many Losses he had sustained during his Service in the late War, and praying the House to grant him such further Allowance as they might think proper. Which was read and granted.

ORDERED, That Mr. *Somervell* be allowed upon the Journal of Accounts, the further Sum of Fifty Pounds common Current Money, he having heretofore been allowed the Sum of Twenty Pounds.

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The Petition of *Mary Ann Christy Abigal Armitt* was read. ORDERED, That the same be heard at the Bar of this House on Friday the 10th Instant.

ORDERED, That *Peter Bainbridge* be served with a Copy of the said Petition and of this Order.

ORDERED, That the Parties, upon their Application to the Clerk of this House, have Summonses for such Witnesses they may think necessary.

Mr. *Beall* brings in and delivers to Mr. Speaker the following Report.

By the COMMITTEE appointed to tax the Fees arising due upon the Order of the 24th of November last, in relation to the Sheriff of Frederick County.

IN Obedience to the Order of the Honourable House, your Committee have proceeded to tax the Fees due upon the said Order as follows,

To the Clerk for Copy of the Order,	£.0:3:0
To the Serjeant for the Expence of a Messenger to } <i>Frederick County, and serving said Order on the Sheriff,</i>	5:1:8
	<hr/> £.5:4:8 <hr/>

Which is submitted to the Consideration of the Honourable House.

Signed by Order, G. DU VALL, Clk.

December 1, 1773.

Which was read and concurred with.

The Petition of sundry Inhabitants of *Saint Mary's, Calvert, Charles* and *Prince-George's* Counties was read the First Time. RESOLVED, That the same be taken into Consideration on Monday the 13th Instant.

The Petition of *John Glassford* was read a Second Time. ORDERED, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House, and Mr. *Smallwood*, Mr. *Ware*, and Mr. *J. Hall* are appointed a Committee accordingly, and they have Power to send for Persons, Papers, and Records.

The Petition of *Henry Waring*: The Petition against the Removal of *Piles's* and *Chaptico* Warehouses: And the Petition against *Chaptico* and *Piles's* Warehouses are referred for Consideration on the Second Tuesday in next Session of Assembly.

Benjamin Ogle, Esq; from the Upper House delivers to Mr. Speaker a Bill, entitled, *An Act for the Relief of insolvent Debtors*

and other Prisoners, thus indorsed: "By the Upper House of Assembly, December 1, 1773: Read the First and Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

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Which was read here the First Time and ordered to lie on the Table.

On Motion, Mr. *Ridgely* is added to the Committee appointed to prepare a Bill for the Division of *Baltimore County*.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met. Mr. *Funk* appeared in the House.

On Motion, ORDERED, That Leave be given to bring in a Bill for the more effectual Preservation of the Breed of Deer, and that Mr. *Ennalls*, Mr. *Paca*, Mr. *Beall*, Mr. *Thomas*, and Mr. *Earle*, do prepare and bring in the same.

The Bill, entitled, *An Act for the Amendment of the Law*, was read the First Time and ordered to lie on the Table.

Mr. *Chase* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to regulate the Payment of Attornies Fees*, which was read the First Time and ordered to lie on the Table. p. 58

The Report from the Committee appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit, was read the Second Time and concurred with.

RESOLVED, That the Governor be addressed to put the several Sheriffs Bonds in Suit for Non-payment of the Public Money.

ORDERED, That Mr. *J. Hall*, Mr. *Paca*, and Mr. *Thomas*, do prepare and bring in the said Address.

On Motion, ORDERED, That Leave be given to bring in a Bill, entitled, *A Supplementary Act to the Act, entitled, An Act for licensing Ordinary Keepers, Hawkers, Pedlers, and Petty Chapmen*, and that Mr. *Chase*, Mr. *J. Hall*, Mr. *Sim*, Mr. *So. Wright*, and Mr. *Paca*, do prepare and bring in the same.

The House adjourns till To-morrow Morning 9 o'Clock.

THURSDAY, December 2, 1773.

Dec. 2

THE House met. All Members present as on Yesterday, except Mr. *White*, and Mr. *Griffith*. The Proceedings of Yesterday were read. Mr. *Ringgold* and Mr. *Sudler* appeared in the House.

A Bill, entitled, *An Act to empower William Gaither and Elizabeth his Wife, to make and execute the Conveyances therein mentioned*, was read the First and Second Time by an especial Order, passed and sent to the Upper House by Mr. *Beatty* and Mr. *Funk*.

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Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry Subscribers, setting forth that a Town was laid out at a Place called *Carrollsburgh*, on a Branch of *Potowmack* River, and that it is apprehended that a Warehouse for the Inspection of Tobacco, and for the Reception thereof from other Warehouses would be a Convenience to Trade, and praying that an Act May pass to establish a Warehouse for the Inspection of Tobacco, at the Town called *Carrollsburgh*, if a Law for the Regulation of the Staple takes Place, and empowering Commissioners to lay out Roads to the said Town on each Side of the Eastern Branch, thus indorsed: "By the Upper House of Assembly, *December 2, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

The House adjourns till 3 o'Clock

POST MERIDIEM.

The House met.

The Bill, entitled, *An Act for the Regulation of Officers Fees*, was read the Second Time, passed, and sent to the Upper House by Mr. *J. Hall*, Mr. *Chase*, Mr. *Paca*, Mr. *Ennalls*, and Mr. *Chamberlaine*.

The Petition brought in this Forenoon by *Daniel of St. Thomas Jenifer*, Esq; was read and referred for Consideration the Second Tuesday in next Session.

On Motion, ORDERED, That Leave be given to bring in a Bill for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of *Anne Catharine Green*, of the City of *Annapolis*, Printer, and that Mr. *Thomas*, Mr. *Beall*, Mr. *So. Wright*, and Mr. *T. Wright*, do prepare and bring in the same.

The House adjourns till To-morrow Morning 9 o'Clock.

Dec. 3

FRIDAY, *December 3, 1773.*

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read. Mr. *Richardson* and Mr. *Lloyd* appeared in the House.

On Motion, ORDERED, That Leave be given to bring in a Bill for imposing a further additional Duty on Negroes imported into this Province, and that Mr. *Chamberlaine*, Mr. *Thomas*, Mr. *Paca*, and Mr. *Lloyd*, do prepare and bring in the same.

A Bill, entitled, *An Act for the directing the Sale of the Lands of John Stone Hawkins, late of Prince-George's County, deceased, for the Payment of the Debts of the said John Stone Hawkins*, was read

the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. *Sim* and Mr. *Tyler*.

Mr. *Gilpin*, Mr. *Earle*, Mr. *Hyland*, and Mr. *Wootton*, have Leave of Absence.

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On Motion, The Petition of the Rector, Vestrymen, and Churchwardens of *All Saint's* Parish, in *Calvert* County, which was preferred last *June* Session, and referred to the next Session, was read and ordered to lie on the Table.

On Motion, the Petition of the Rector, Vestrymen, and Churchwardens of *St. Anne's* Parish. And the Petition of *Saint Michael's* Parish, which were preferred last *June* Session, and referred to the next Session. were severally read and further referred till next Session.

On Motion, The Petition of the Trustees of the Poor of *Anne-Arundel* County, which was preferred last *June* Session, and referred to the next Session, was read and granted, and Leave given to bring in a Bill pursuant to the Prayer of the said Petition. ORDERED, That Mr. *John Hall*, Mr. *Johnson*, Mr. *Chase*, Mr. *Paca*, and Mr. *Hammond*, do prepare and bring in the same. p. 59

On Motion, The Petition of the Vestry and Churchwardens of *Saint Luke's* Parish, in *Queen-Anne's* County, which was preferred *October* Session, 1771, and referred from Time to Time to this Session, was read and ordered to lie on the Table.

On Motion, ORDERED, That there be an Allowance made upon the Journal of Accounts of 3200 Pounds of Tobacco to the Rev. Mr. *David Love*, for reading divine Service this Session.

ORDERED, That the Clerk of this House write to all the absent Members, except Mr. *Dennis*, Mr. *Buchanan*, Mr. *Courts*, and Mr. *Contee*, who are incaple through Sickness of attending, informing them that this House requires their immediate Attendance.

Mr. *Bond* brings in and delivers to Mr. Speaker, A Bill, entitled, *An Act for the Relief of the Poor in Saint Mary's County*, which was read the First Time and ordered to lie on the Table.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the directing the Sale of the Lands of John Stone Hawkins, deceased*, thus indorsed: "By the Upper House of Assembly, *December* 3, 1773: Read the First and Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

Daniel Dulany, Esq; also delivered to Mr. Speaker a Petition of the Inhabitants of *Saint Paul's* Parish, in *Baltimore* County, which was read and ordered to lie on the Table. And a Petition of the Inhabitants of *Patapsco Lower Hundred*, praying for the opening of

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a Road, which was read and referred for Consideration on Thursday next.

On Motion, RESOLVED, That no new Business be moved for after Monday Evening next.

The House adjourns till 3 o'Clock

POST MERIDIEM.

The House met. Mr. Tolly and Mr. Johnson appeared in the House.

The Bill, entitled, *An Act to regulate the Payment of Attornies Fees*, was read the Second Time, passed, and sent to the Upper House by Mr. So. Wright and Mr. Hammond.

On Motion, RESOLVED, That the Governor's Speech at the opening of *October* Convention be taken into Consideration To-morrow Morning.

The House adjourns till To-morrow Morning 9 o'Clock.

Dec. 4

SATURDAY, *December 4, 1773.*

THE House met. All Members present as on Yesterday, except Mr. Gilpin and Mr. Hyland. The Proceedings of Yesterday were read.

Mr. T. Wright hath Leave of Absence till Monday next.

The Petition of the Inhabitants of *Worcester* County, which was preferred last Convention and referred over, was read and further referred till the Second Wednesday in next Session of Assembly.

The Order of the Day being read, RESOLVED, That the Governor's Speech at the Opening of *October* Convention be now taken into Consideration.

ORDERED, That the Governor's Speech be read, and it was read accordingly.

RESOLVED, That that Part thereof relative to a Light-House be taken into Consideration on Tuesday next.

The ingrossed Bill No. 5, was read and assented to and sent to the Upper House with the Paper Bill thereof by Mr. Ware and Mr. Key.

William Fitzhugh, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bill No. 5, thus indorsed: "By the Upper House of Assembly, *December 5, 1773*: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

The Governor's Speech was again taken under Consideration, and the Paragraph relative to the Establishment of a Seminary of Learning being read.

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It was moved that as the Circumstances of the Province would require a further Emission of Bills of Credit to be lent out upon Loan, a Sum arising out of the Interest thereof might be appropriated to that Purpose; and it was thereupon resolved, that Bills of Credit to the Amount of 346,666 $\frac{2}{3}$ Dollars be struck, and that 266,666 $\frac{2}{3}$ Dollars thereof be circulated by Way of Loan upon real and personal Security. It was then moved to be resolved, that 42,666 $\frac{2}{3}$ Dollars, out of the Interest arising from the Loan of the said Bills of Credit be appropriated for the Establishment of a Seminary of Learning in this Province, and the Question being put that the same be entered as the Resolve of this House, it was carried in the Affirmative. p. 60

For the AFFIRMATIVE.

<i>Messieurs</i>	Bond,	Johnson,	Veazy,	
	Key,	Chase,	Beall,	
	Barnes,	J. Hall,	Tyler,	
	Weems,	Chamberlaine,	Paca,	
	Lyles,	Thomas,	Hammond,	
	Smallwood,	Lloyd,	Wootton,	
	Somervell,	Ennalls,	Beatty,	
	Ware,	Richardson,	Funk.	[24]

For the NEGATIVE.

<i>Mess.</i>	Ringgold,	A. Hall,	So. Wright,	
	Maxwell,	Tolly,	Chaille,	
	Sudler,	Ward,	Purnell,	
	Ridgely,	Brown,	Robins.	
	Deye,	Earle,		

[14]

It was thereupon RESOLVED, That 42,666 $\frac{2}{3}$ Dollars out of the Interest arising from the Loan of the said Bills of Credit, be appropriated for the Establishment of a Seminary of Learning in this Province.

The House adjourns till 3 o'Clock

POST MERIDIEM.

The House met. The House resumed the Consideration of the Governor's Speech.

On motion, ORDERED, That Leave be given to bring in a Bill to prevent the Evil arising from the Variation of the Compass, and that Mr. J. Hall, Mr. Johnson, Mr. Beall, Mr. Chase, Mr. So. Wright, Mr. Beatty, Mr. Richardson, Mr. Paca, Mr. Brown, and Mr. Ware, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill for the further Emission of Bills of Credit, and other Purposes

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therein mentioned, and that Mr. Chase, Mr. Johnson, Mr. Chamberlaine, Mr. J. Hall, Mr. Lloyd, and Mr. Paca, do prepare and bring in the same.

The further Consideration of the Governor's Speech is referred till Wednesday next.

The House adjourns till Monday Morning 9 o'Clock.

Dec. 6

MONDAY, December 6, 1773.

THE House met. All Members present as on Saturday, except Mr. Wootton and Mr. Sim. The Proceedings of Saturday were read. Mr. Griffith, Mr. Parran, Mr. White, and Mr. Turbutt Wright appeared in the House.

Mr. Speaker communicated to the House a Letter from the Honorable Casar Rodney, Esq; Speaker of the House of Representatives of the Counties of *New-Castle, Kent* and *Sussex*, inclosing sundry Resolves entered into by that House. ORDERED, That the said Letter be read, and it was read accordingly.

The Bill, entitled, *An Act for the Relief of the Poor* in Saint Mary's County, was read the Second Time passed and sent to the Upper House by Mr. Barnes and Mr. Bond.

On Motion, ORDERED, That Leave be given to bring in a Bill to regulate the Criminal Business of *Baltimore* County, and that Mr. Tolly, Mr. Chase, Mr. Ridgely, Mr. Deye, and Mr. Aq. Hall, do prepare and bring in the same.

Mr. Chamberlaine brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for imposing a further additional Duty of Pounds Current Money per Poll, on all Negroes imported into this Province*, which was read the First Time and ordered to lie on the Table.

Mr. Veazy brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to revive and aid the Proceedings of Cæcil County Court*, which was read the First Time and ordered to lie on the Table.

The House adjourns till 3 o'Clock

POST MERIDIEM.

The House met. Mr. Hawkins appeared in the House.

The Order of the Day being read, the House took into Consideration the several Petitions from *Dorchester* and *Queen-Anne's* Counties for a Division of those Counties.

RESOLVED, That a new County be erected out of *Dorchester* and *Queen-Anne's* Counties, by the Name of

p. 61 ORDERED, That Mr. Richardson, Mr. Paca, Mr. Johnson, Mr. Ennalls, Mr. White, Mr. So. Wright, Mr. Brown, Mr. T. Wright,

Mr. Earle, and Mr. Thomas, be a Committee to prepare and bring in the same.

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Mr. Aq. Hall brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Division of Baltimore County, and for erecting a new one by the Name of Harford*, which was read the First Time and ordered to lie on the Table.

On Motion, ORDERED, That Leave be given to bring in a Bill to confirm a Lease made by *Thomas Harrison*, of *Baltimore County*, for Part of a Lot of Land therein mentioned, to the Commissioners of *Baltimore-Town* and their Successors, and a Bill to establish a Market in *Baltimore-Town* in *Baltimore County*, and to regulate the said Market, and that Mr. *Ridgely*, Mr. *Deye*, Mr. *Aq. Hall*, and Mr. *Tolly*, do prepare and bring in the same.

Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker a Petition of *Gilbert Falconer*, of *Kent County*, setting forth that a certain *Bowles Tyer Balthrop* of *Charles County*, passed his Bond to the Petitioner for the Conveyance and Assurance of Part of a Tract of Land, lying in *Kent County*, called *Bolston*. That before any Conveyance was made by the said *Balthrop* to the Petitioner, the said *Balthrop* died; and therefore praying the House to pass an Act for the Conveyance and Assurance of the same, thus indorsed, "By the Upper House of Assembly, *December 6, 1773*: Read and referred to the Consideration of the Lower House of Assembly,

Signed by Order, U. SCOTT, Cl. Up. Ho."

The House adjourns till To-morrow Morning 9 o'Clock.

TUESDAY, *December 7, 1773.*

Dec. 7

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read. Mr. *Sim* appeared in the House.

The Petition of *Gilbert Falconer* was read: ORDERED, That the same be heard at the Bar of this House on Tuesday next.

ORDERED, That Mr. *Thomas Browning* be served with a Copy of this Order.

Mr. *Bond* and Mr. *Somervell* have Leave of Absence.

The Order of the Day for taking into Consideration that Part of the Governor's Speech relative to a Light-House being read, RESOLVED, That the same be now taken into Consideration.

On Motion, ORDERED, That a Bill be brought in for erecting a Light-House on *Cape Henry*, and that Mr. *J. Hall*, Mr. *Johnson*, Mr. *Chase*, Mr. *Beall*, Mr. *Richardson*, Mr. *Chamberlaine*, and Mr. *Barnes*, do prepare and bring in the same.

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Mr. *J. Hall* brings in and delivers to Mr. Speaker an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

On Motion, ORDERED, That Mr. *White* and Mr. *Griffith* be added to the Committee appointed to prepare and bring in a Bill to prevent the Evil arising from the Variation of the Compass.

On Motion, ORDERED, That Mr. *Johnson* and Mr. *Chase* be added to the Committee appointed to prepare and bring in a Bill for the Relief of insolvent Debtors.

William Hayward, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry subscribing Inhabitants of *Prince-George's* County, praying that the Free-School of that County may be continued in the Place where it now is, thus indorsed: "By the Upper House of Assembly, *December 7, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here and ordered to lie on the Table.

The Bill, entitled, *An Act for imposing a further additional Duty of Five Pounds Current Money per Poll on all Negroes imported into this Province*; and the Bill, entitled, *An Act to revive and aid the Proceedings of Cæcil County Court*, were severally read the Second Time by an especial Order, passed and sent to the Upper House by Mr. *Chamberlaine* and Mr. *Ward*.

Philip Thomas Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the Regulation of Officers Fees*, thus indorsed: "By the Upper House of Assembly, *December 2, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho."

By the Upper House of Assembly, *December 7, 1773*: Read the Second Time and will not pass

Signed by Order, U. SCOTT, Cl. Up. Ho."

And the following Message,

By the UPPER HOUSE of ASSEMBLY,
December 7, 1773.

GENTLEMEN,

WE should be willing to agree to a proper Bill, allowing a competent Support to Officers, but as the Bill, entitled, *An Act for the Regulation of Officers Fees*, appears to us in a different Light, we have therefore returned it with our Negative.

Signed by Order, U. SCOTT, Cl. Up. Ho.

Which was read.

Mr. *Ridgely* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to regulate the criminal Business of Baltimore County*, Which was read the First Time and ordered to lie on the Table.

The House adjourns till 3 o'Clock

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POST MERIDIEM.

The House met. Mr. *Contee* appeared in the House.

Mr. *W. Ennalls* hath Leave of Absence,

Mr. *J. Hall* brings in and delivers to Mr. Speaker the following ingrossed Address.

To his EXCELLENCY ROBERT EDEN, *Esquire, Governor and Commander in Chief in and over the Province of Maryland.*

The humble ADDRESS of the House of DELEGATES.

May it please your Excellency,

THE Paragraphs of the Report from the Committee of both Houses, appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly (a Copy of which we beg Leave to lay before your Excellency) will sufficiently inform you how very negligent several of the Sheriffs have been in paying up the Ordinary Licence Fines by them received for the Use of the Public. We think ourselves bound in Duty to our Constituents to Request that your Excellency would be pleased to give Directions to the Attorney General, to put the Bonds of all such Sheriffs immediately in Suit, who are in Arrear for any Collection antecedent to *August* last. And also to put in Suit the Bonds of such Sheriffs who are in Arrear for the present Year's Collection, in Case Payment be not very soon made. We observe with Concern, that several of the County Clerks have not transmitted any Account of the Sums received by the Sheriffs at last *August* Court for Ordinary Licences, and doubt not your Excellency will take the proper Method to prevent their being so remiss in Future, as also that they may be compelled to make the Returns that are now wanting as soon as may be.

We also request that your Excellency would be pleased to direct the Attorney General to put in Suit the Office Bond of *Christopher Wilkinson*, Farmer, of the Quit Rents in *Queen-Anne's* County, now deceased, for his Default in not paying up the Half Years Land Tax by him received in the Year 1763.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

On reading the Bill, entitled, *An Act for the Division of Baltimore County, and for erecting a new one by the Name of Harford*, the

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Question was put, That the Part of the said Bill which imposes a Tax on the Inhabitants of *Baltimore* County, towards building the Court-House and Prison in *Harford* County, be struck out of the said Bill? Resolved in the Negative.

For the NEGATIVE.

Messieurs	Bond,	Aq. Hall,	Tyler,
	Key,	Tolly,	Sim,
	Barnes,	Johnson,	Contee,
	Ringgold,	Chase,	Brown,
	Maxwell,	J. Hall,	Earle,
	Sudler,	Chamberlaine,	Paca,
	Weems,	Thomas,	Purnell,
	Lyles,	Richardson,	Beatty,
	Parran,	White,	Griffith,
	Smallwood,	Veazy,	Funk.
	Ware,	Ward,	
	Hawkins,	Beall,	[34]

For the AFFIRMATIVE.

Mess.	Ridgely,	T. Wright,	Robins.
	Deye,	Chaille,	[5]

The Bill was then read throughout and passed.

The House adjourns till To-morrow Morning 9 o'Clock.

Dec. 8

WEDNESDAY, December 8, 1773.

THE House met. All Members present as on Yesterday, except Mr. *Bond*. Mr. *Ennalls*, and Mr. *Somervell*. The Proceedings of Yesterday were read.

ORDERED, That Mr. *Smallwood* and Mr. *Earle* do acquaint his Excellency, that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint Mr. Speaker that the Governor signified he would receive the Address in about Half an Hour in the Conference Chamber.

p. 63 ORDERED, That Mr. *J. Hall*, Mr. *Beall*, Mr. *Johnson*, and Mr. *Lloyd*, do present the Address to his Excellency.

His Excellency communicates to Mr. Speaker the following Message, inclosing the following Propositions.

GENTLEMEN of the LOWER HOUSE of
ASSEMBLY.

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SEVERAL Ministers of the established Church, having presented an Address to me, I take the Liberty (by Advice of the Lord Proprietary's Council) of communicating it to you, and hope you will think the Propositions this Address contains, deserve your serious Attention.

December 8, 1773.

ROBERT EDEN.

To his EXCELLENCY ROBERT EDEN, Esquire, Governor and Commander in Chief in and over the Province of Maryland.

SIR,

WE the underwritten Clergymen of the established Church in this Province, beg Leave to approach your Excellency with our grateful Acknowledgments for your constant Attention to, and Concern for the Interests of our Church: An Attention and Concern which could never be more seasonable than at the present Juncture. Our unhappy Situation is not unknown to your Excellency, nor, we believe, unlamented. Most cordially do we wish it were as much in our Power, as it is in our Inclination, to restore the public Peace and Tranquility. Impressed with this Sentiment, and grieved to find our Usefulness to the Community so unhappily interrupted by the unreasonable Prejudices which have been excited against our Order and ourselves, we are not unwilling, with your Approbation, to relinquish some of our undoubted Rights. We therefore wish to submit to your Excellency's Consideration the following Propositions; the best we have been able to form; the Expediency or Inexpediency whereof we beg Leave to refer to your better Judgment.

If there be any well-founded Objection against the present Establishment, we think it is, that, in some few Instances, it gives too large Salaries. To remove this, it is proposed, that whenever the solvent taxable Persons in a Parish do, or shall exceed Twenty-two Hundred, the Excess shall be appropriated still to the Service of the Church, by being sunk into a Fund, to be lodged on stipulated Conditions with the Treasurer on each Shore, for the Purpose of further disseminating religious Instruction; that is to say, to be applied, when sufficient for the Purpose, to the Maintenance of a Reader, Lecturer, or Curate to be appointed by the Ordinary; and, in Time to the Erection of new Parishes. This, we are persuaded would be to pursue the Plan and Design of the first Framers of our Act of religious Establishment; and, we trust, remove all just Cause of Complaint. Whatever may be your Sentiments of this Proposition, we assure ourselves, you will do us the Justice to believe, that herein we have not been actuated by any merely selfish Motives, but by the more becoming one of an honest Zeal for the Interests of our holy Religion.

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Or, if such a Regulation cannot be obtained, perhaps, a Proposition to the following Purpose may. To obviate the Objection of a Disparity of Payment in the same Parish, let the Number of Tobacco and Non-Tobacco makers be ascertained; let the Amount of the Tobacco and Money Payments be also ascertained as under the late Inspection Law, and the Tobacco valued or rated, yearly, by the County Courts in *August*, at a medium Price, and the whole equally and fairly divided among the taxable Persons of the Parish. This to commence and terminate with the present Inspection Law.

Should this also fail, permit us, Sir, solicitous as we are for the Peace and Welfare of the Province, to trespass so far on your Patience, as to offer a Third Proposition. Let each taxable Person in a Parish have the Option of paying in the Month of *August*, either the Tobacco due by Law to his Incumbent, or Five Shillings Common Currency; for and continuing the same Term of Years as the former Proposition was made upon.

We hope, Sir, that the Propositions which we have here made, will appear to your Excellency and the other Branches of the Legislature not unreasonable; not that we are so sanguine as to flatter ourselves that they are without Exception. If, from any, or all of them, or any other, not shaking the Foundation of our present Establishment, a Plan can be devised acceptable to the People and not injurious to our Church, we shall be happy. If not, faithfully endeavouring to discharge our Duty, our Resolution is to abide, without Deviation, by the Act of 1701-2; the Validity whereof, we hope will soon be established by a solemn legal Decision.

We are Sir, Your dutiful humble Servants,

THO. THORNTON,	JONATHAN BOUCHER,
H. ADDISON,	DAVID LOVE,
J. GORDON,	JOHN ANDREWS,
HUGH NEILL,	WILLIAM EDMISTON,
ROB. READ,	JOHN MONTGOMERY,
SAMUEL KEENE,	WALTER MAGOWAN,
THOMAS JOHN CLAGGETT,	JACOB HENDERSON
FRANCIS LAUDER,	HINDMAN.

ORDERED, That the said Message and Propositions be read, and they were read accordingly, and ordered to lie on the Table.

The Bill, entitled, *An Act for the Division of Baltimore County*, &c. was sent to the Upper House by Mr. *Aq. Hall* and Mr. *Tolly*.

The Order of the Day for taking into further Consideration the Governor's Speech at the Opening of *October* Convention being read, after some Debate thereon, the Question was put, That the Sum of Three Thousand Pounds be appropriated; and that Sum, or so much thereof as shall be necessary, be applied and expended under the Direction of Commissioners in repairing, opening, and putting

in good Order, a Road from the Mouth of *Wills's Creek* to the nearest Navigable Western Waters of some Branch of the *Ohio*?
Resolved in the Affirmative.

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For the AFFIRMATIVE.

Messieurs	{ Key,	Ware,	Sim,	[24]
	{ Barnes,	Hawkins,	Contee,	
	{ Weems,	Johnson,	Earle,	
	{ Lyles,	Chase,	Paca,	
	{ Parran,	Lloyd,	Hammond	
	{ Aq. Hall,	Richardson,	Beatty,	
	{ Tolly,	Beall,	Griffith,	
	{ Smallwood,	Tyler,	Funk.	

For the NEGATIVE.

Messieurs	{ Ringgold,	Chamberlaine,	So. Wright,	[17]
	{ Maxwell,	Thomas,	T. Wright,	
	{ Sudler,	White,	Chaille,	
	{ Ridgely,	Veazy,	Purnell,	
	{ Deye,	Ward,	Robins.	
	{ J. Hall,	Brown,		

The House adjourns till 3 o'Clock

POST MERIDIEM.

The House met.

The Bill, entitled, *An Act to regulate the Criminal Business of Baltimore County*, was read the Second Time by an especial Order, passed, and sent to the Upper House by Mr. *Deye* and Mr. *Ridgely*.

Mr. *Purnell* being unwell hath Leave of Absence.

The House adjourns till To-morrow Morning 9 o'Clock.

THURSDAY, December 9, 1773.

Dec. 9

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the Division of Baltimore County, and for erecting a new one by the Name of Harford*, thus indorsed: "By the Upper House of Assembly, December 8, 1773: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

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By the Upper House of Assembly, *December 8, 1773*: Read the Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

On Motion, the Question was put, That the following Question, *viz.* "That the Sum of 37,333 $\frac{1}{3}$ Dollars be appropriated out of the 346,666 $\frac{2}{3}$ Dollars to be struck to the Use of the several County Schools in this Province" be now put? Resolved in the Negative.

For the N E G A T I V E.

<i>Messieurs</i>	{	Key,	Aq. Hall,	Contee,	
		Barnes,	Tolly,	Earle,	
		Weems,	Johnson,	T. Wright,	
		Lyles,	Chase,	Hammond,	
		Parran,	J. Hall,	Chaille,	
		Smallwood,	White,	Beatty,	
		Ware,	Beall,	Griffith,	
		Hawkins,	Tyler,	Funk.	[24]

For the A F F I R M A T I V E.

<i>Mess.</i>	{	Ringgold,	Chamberlaine,	Ward,	
		Maxwell,	Thomas,	Brown,	
		Sudler,	Lloyd,	So. Wright,	
		Ridgely,	Richardson,	Robins.	
		Deye,	Veazy,		[14]

p. 65 Mr. *Richardson* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Division of Dorchester and Queen-Anne's Counties, and for erecting a new one by the Name of Caroline*, which was read the First Time and ordered to lie on the Table.

The House adjourns till 3 o'Clock

P O S T M E R I D I E M.

The House met.

The Order of the Day for taking into Consideration the Petition of the Inhabitants of *Patapsco* Lower Hundred being read; RESOLVED, That the same be now taken into Consideration. Upon reading the said Petition, the same was granted, ORDERED, That Mr. *Ridgely*, Mr. *Deye*, Mr. *Aquila Hall*, Mr. *Tolly*, and Mr. *J. Hall*, do prepare and bring in a Bill pursuant to the Prayer thereof.

The ingrossed Bill, No. 6, was read and assented to, and sent to the Upper House with the Paper Bill thereof by Mr. *Aq. Hall* and Mr. *Tolly*.

Benjamin Ogle, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bill, No. 6, thus indorsed: "By the Upper

House of Assembly, *December 9, 1773*: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

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William Hayward, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the Sale of the Capital Bank Stock belonging to this Province*, thus indorsed: "By the Upper House of Assembly, *November 27, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 9, 1773*: Read the Second Time and will not pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act to revive and aid the Proceedings of Cæcil County Court*, thus indorsed: "By the Upper House of Assembly, *December 7, 1773*: Read the First Time and ordered to lie on the Table,

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 9, 1773*: Read the Second Time and will pass with the annexed Amendments,

Signed by Order, U. SCOTT, Cl. Up. Ho."

Leave out the Words "except as herein after excepted" in the Sixth Line of the First enacting Clause, and after the Word "Condition" in the Seventh Line of the same Clause, leave out the Rest of the Bill, and add the following Words, *viz.* "To all Intents and Purposes as if the Justices of the said Court had met and held the said Court as required by the aforesaid Act of Assembly." Which were read and ordered to lie on the Table.

The Bill, entitled, *An Act for the Division of Dorchester and Queen-Anne's Counties, and for erecting a new one by the Name of Caroline*, was read the Second Time by an especial Order and will pass.

The House adjourns till To-morrow Morning 9 o'Clock.

FRIDAY, *December 10, 1773.*

Dec. 10

THE House met. All Members present as on Yesterday, except Mr. Purnell and Mr. Weems. The Proceedings of Yesterday were read.

A Bill, entitled, *An Act for the Sale of Lands late the Property of Caleb Dorsey, of Anne-Arundel County, deceased, for Payment of Legacies*, was read the First Time and ordered to lie on the Table.

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Mr. Brown hath Leave of Absence.

The Bill entitled, *An Act for the Division of Dorchester and Queen-Anne's Counties, and for erecting a new one by the Name of Caroline*, was sent to the Upper House by Mr. Richardson and Mr. Ringgold.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met. Mr. Hyland appeared in the House.

The Bill, entitled, *An Act for the Amendment of the Law*, was read the Second Time and will pass with the following Amendment, *viz.* Leave out the Clause from the Beginning of the Sixth Page to the Word "liable" inclusive in the Eleventh Line of the same Page.

Mr. Sim brings in and delivers to Mr. Speaker a Bill, entitled, *a Supplementary Act to the Act, entitled, An Act for licensing Ordinary Keepers, Hawkers, Pedlers, and Petty Chapmen*, which was read the First Time and ordered to lie on the Table.

p. 66 The Order of the Day for taking into Consideration the Petition of *Abigal Armit*, being read, the same is referred for further Consideration To-morrow.

The Bill, entitled, *An Act to revive and aid the Proceedings of Cæcil County Court*, was read the Second Time with the Amendments proposed by the Upper House, and the Amendments were rejected.

The House adjourns till To-morrow Morning 9 o'Clock.

Dec. 11

SATURDAY, *December 11, 1773.*

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read.

Mr. Chaille hath Leave of Absence.

The Bill, entitled, *An Act for the Relief of insolvent Debtors and other Prisoners*, was read the Second Time and will not pass. The said Bill with the Bill for the Amendment of the Law was sent to the Upper House by Mr. Thomas and Mr. So. Wright.

Mr. J. Hall brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Relief of insolvent Debtors*, which was read the First and Second Time by an especial Order and will pass.

Philip Thomas Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act to continue the Acts of Assembly therein mentioned*, thus indorsed: "By the Upper House of Assembly, November 27, 1773: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 11, 1773*: Read the Second Time and will not pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

And a Petition of *John Moale and Andrew Stigar, of Baltimore-Town*, praying that an Act may pass to add Two Pieces of Land now adjoining to *Baltimore-Town*, to the said Town, thus indorsed, "By the Upper House of Assembly, *December 11, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read and granted, and Leave given to the Petitioners to bring in a Bill pursuant to the Prayer of the said Petition.

The Bill, entitled, *An Act for the Sale of Lands late the Property of Caleb Dorsey, of Anne-Arundel County, deceased, for Payment of Legacies*: And the Bill, entitled, *A Supplementary Act to the Act, entitled, An Act for licensing Ordinary Keepers, Hawkers, Pedlers, and Petty Chapmen*, were severally read the Second Time by an especial Order, passed and sent to the Upper House by Mr. *Barnes* and Mr. *Hyland*.

Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the Relief of the Poor in Saint Mary's County*, thus indorsed: "By the Upper House of Assembly, *December 6, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 9, 1773*: Read the Second Time and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho.

Which was read here and passed for ingrossing.

The Order of the Day being read, the House referred the further Consideration of the Petition of *Anne Armit* till Wednesday next.

On Motion, ORDERED, That Mr. *Beall*, Mr. *Beatty*, Mr. *Earle*, Mr. *Thomas*, and Mr. *Veazy*, do prepare and bring in Bills to continue all those Acts which would expire with the Close of this Session.

Mr. *Ridgely* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to confirm a Lease made by Thomas Harrison, of Baltimore County, for Part of a Lot of Land therein mentioned, to the Commissioners of Baltimore-Town, and their Successors*.

Mr. *Deye* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Relief of sundry Inhabitants of Patapsco Lower Hundred, in Baltimore County*, which said Bills were severally read the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. *Deye* and Mr. *Tolly*.

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John Ridout, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the Sale of Lands late the Property of Caleb Dorsey, of Anne-Arundel County, deceased, for Payment of Legacies*, thus indorsed: "By the Upper House of Assembly, *December 11, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 11, 1773*: Read the Second Time by an especial Order and will pass with the following Amendment, *viz.* Add the following Proviso at the End of the Bill: "*Provided always, That Nothing in this Act contained shall in any Manner affect the Claim or Remedy of any Creditor or Creditors of the aforesaid Caleb Dorsey, deceased.*"

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which Bill with the Amendment was read, and the Amendment was agreed to, and the Bill passed for ingrossing.

The House adjourns till Monday Morning 9 o'Clock.

Dec. 13

MONDAY, *December 13, 1773.*

p. 67

THE House met. All Members present as on Saturday, except Mr. Chaille, Mr. Robins, Mr. Sim, Mr. Ridgely, and Mr. Smallwood. The Proceedings of Saturday were read.

The Bill, entitled, *An Act for the Relief of insolvent Debtors*, was sent to the Upper House by Mr. Lloyd and Mr. Hammond.

Mr. Beall brings in and delivers to Mr. Speaker a Bill, entitled, *An Act continuing an Act, entitled, An Act for abolishing June County Courts, and for other Purposes therein mentioned.* A Bill, entitled, *An Act continuing an Act, entitled, An Act for imposing an additional Duty of Two Pounds per Poll on all Negroes imported into this Province.* A Bill, entitled, *An Act continuing an Act entitled, An Act for the speedy Recovery of small Debts out of Court, before one Justice of the Peace.* A Bill, entitled, *An Act continuing an Act, entitled, An Act to remedy some Evils relating to Servants.* A Bill, entitled, *An Act continuing an Act, entitled, An Act for the Gauge of Barrels of Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels of Flour or Bread.* A Bill, entitled, *An Act continuing an Act, entitled, An Act to establish a Market in Frederick-Town, in Frederick County, and for the Regulation of the said Market.* And a Bill, entitled, *An Act continuing an Act, entitled, An Act for relieving the Inhabitants of this Province, from some Aggrievances in the Prosecution of Suits at Law, and the Supplementary Act thereto*; which were severally read the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. Parran and Mr. Maxwell.

Mr. John Hall, brings in and delivers to Mr. Speaker, a Bill, entitled, *An Act for the Relief of the Poor in Anne-Arundel County*, which was read the first Time and ordered to lie on the Table.

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Mr. Deye brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to establish a Market in Baltimore-Town, in Baltimore County, and to regulate the said Market*, Which was read the First Time and ordered to lie on the Table.

RESOLVED, That the Rules of this House respecting the Attendance of the Members be hereafter strictly enforced.

RESOLVED, That this House will, To-morrow Morning, take into Consideration the Governor's Message of the Eighth Instant.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker, the Bill entitled, *An Act continuing an Act, entitled, An Act for imposing an additional Duty of Two Pounds per Poll on all Negroes imported into this Province*. The Bill, entitled, *An Act continuing an Act, entitled, An Act for the speedy Recovery of small Debts out of Court, before one Justice of the Peace*. The Bill, entitled, *An Act continuing an Act, entitled, An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and the Supplementary Act thereto*. The Bill, entitled, *An Act continuing an Act entitled, An Act to establish a Market in Frederick-Town, in Frederick County, and for the Regulation of the said Market*. The Bill, entitled, *An Act continuing an Act, entitled, An Act to remedy some Evils relating to Servants*. The Bill, entitled, *An Act continuing an Act, entitled, An Act for the Gauge of Barrels of Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels of Flour or Bread*, severally indorsed: "By the Upper House of Assembly, December 13, 1773: Read the First and Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which were severally read here and passed for ingrossing.

John Ridout, Esq; also delivered to Mr. Speaker the Bill, entitled, *An Act for imposing a further additional Duty of Five Pounds Current Money per Poll on all Negroes imported into this Province*, thus indorsed: "By the Upper House of Assembly, December 7, 1773: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho."

By the Upper House of Assembly, December 13, 1773: Read the Second Time and will pass with the annexed Amendments.

Signed by Order, U. SCOTT, Cl. Up. Ho."

After the Word "above" in the 8th Line from the Top of the First Page, leave out the Words "what by the Laws of this Province now in Force is," and insert in the Room thereof the following Words, *viz.* "The Duties laid by the Act, entitled, *An Act for impos-*

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ing a further additional Duty of Five Pounds Current Money per Poll on all Negroes imported into this Province, passed at a Session of Assembly, begun and held at the City of Annapolis, on Wednesday the 22d Day of October, and ended the 30th Day of November, 1771, and by the Acts of Assembly passed before the said 22d Day of October, 1771."

Which Bill with the Amendments was read.

And the Bill, entitled, *A Supplement to the Act, entitled, An Act for the building of a Parish Church in Christ Church Parish, in Calvert County*, thus indorsed: "By the Upper House of Assembly, November 27, 1773: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, December 13, 1773: Read the Second Time and will pass with the annexed Amendments.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Insert after the Word "Tobacco" in the Seventh Line from the Top of the First Page the following Words, *viz.* "And by the Act, entitled, *A Supplementary Act to the Act, entitled, An Act for the building of a Parish Church in Christ Church Parish, in Calvert*
p. 68 *County*, made at a Session of Assembly, begun and held at the City of Annapolis, on Wednesday the Second Day of October, 1771, it was enacted that the Vestrymen and Churchwardens of the said Parish or the major Part of them should, and they were thereby required, by the Fifth Day of the then next November Court, to certify to the Justices of Calvert County aforesaid, the Quantity of Tobacco that was requisite and necessary for finishing and compleating the said Parish Church, and that the said Justices should not assess on the taxable Inhabitants of the said Parish, a greater Quantity of Tobacco than should be so certified, with the Sheriff's Salary of Five per Cent. for collecting the same." Insert after the Word "Tobacco" in the Tenth Line from the Top of the First Page, the following Words, *viz.* "And that the said recited Supplementary Act had not been carried into Execution."

Which Bill with the Amendments was read.

On reading a Second Time the Amendments proposed to the Two last mentioned Bills, on Motion, RESOLVED, That as the late Lord Proprietary died some Time in the Month of September preceding the late Session of the Assembly, begun and held on the Second Day of October, 1771, the general Assembly of this Province became and was thereby dissolved, and that the Acts passed at the said Session were not enacted by legal and constitutional Authority, and are therefore void. Whereupon the said Amendments were unanimously rejected.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

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The House met. Mr. *Bond* appeared in the House.

The Order of the Day for taking into Consideration the Petition of sundry Inhabitants of *Saint Mary's, Charles, Calvert, and Prince-George's* Counties being read, the same is referred till To-morrow.

The Bill, entitled, *An Act for more effectually preventing the buying and selling of Offices*, was read the Second Time, passed, and sent to the Upper House by Mr. *Johnson* and Mr. *Paca*.

Mr. *Johnson* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for emitting Bills of Credit and applying Part thereof*, which was read the First Time and ordered to lie on the Table.

Philip Thomas Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act to confirm a Lease made by Thomas Harrison, of Baltimore County, for Part of a Lot of Land therein mentioned, to the Commissioners of Baltimore-Town and their Successors*, thus indorsed: "By the Upper House of Assembly, December 11, 1773: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, December 13, 1773: Read the Second Time and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

And the Bill entitled, *An Act for the Division of Dorchester and Queen-Anne's Counties, and for erecting a new one by the Name of Caroline*, thus indorsed: "By the Upper House of Assembly, December 10, 1773: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, December 13, 1773: Read the Second Time and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho.

Which were severally read here and passed for ingrossing.

The House adjourns till To-morrow Morning 9 o'Clock.

TUESDAY, December 14, 1773.

Dec. 14

THE House met. All Members present as on Yesterday. The Proceedings of Yesterday were read. Mr. *Sim*, Mr. *Ridgely*, and Mr. *Smalkwood*, appeared in the House.

The Bill, entitled, *An Act for the Relief of the Poor in Anne-Arundel County*, was read the Second Time by an especial Order, passed, and sent to the Upper House by Mr. *Hammond* and Mr. *Tolly*.

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The Order of the Day for taking into Consideration the Governor's Message of the 8th Instant, with the Propositions therein inclosed being Read, RESOLVED, That the same be now taken into Consideration.

On taking the same into Consideration the Question was put, that the following be entered as the Resolve of this House, *viz.* RESOLVED That it is the Opinion of this House, that an Act, entitled, *An Act for the Establishment of Religious Worship in this Province according to the Church of England*, and for the Maintenance of Ministers, was not enacted by legal and constitutional Authority, and is therefore void? Resolved in the Affirmative.

For the A F F I R M A T I V E.

<i>Messieurs</i>	Bond,	Tolly,	Tyler,
	Key,	Johnson,	Sim,
	Barnes,	Chase,	Contee,
	Ringgold,	J. Hall,	Earle,
	Maxwell,	Chamberlaine,	So. Wright,
	Sudler,	Thomas,	Paca,
	Lyles,	Richardson,	Hammond,
	Parran,	White,	Beatty,
	Ware,	Veazy,	Griffith,
	Hawkins,	Hyland,	Funk.
	Deye,	Ward,	
	Aq. Hall,	Beall,	[34]

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For the N E G A T I V E.

Mr. T. Wright. [1]

RESOLVED, That this House will not make Provision for the Maintenance of the Clergy agreeable to either of the said Propositions.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bill No. 7, thus indorsed: "By the Upper House of Assembly, *December 13, 1773*: Read with the Amendment and passed for ingrossing.

Signed by Order, U. SCOTT, Cl. Up. Ho."

And the ingrossed Bill thereof, thus indorsed: "By the Upper House of Assembly, *December 14, 1773*: Read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which ingrossed Bill was read here and assented to.

Also the Bill, entitled, *An Act for the Relief of sundry Inhabitants of Patapsco Lower Hundred, in Baltimore County*, thus indorsed:

"By the Upper House of Assembly, *December 11, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 13, 1773*: Read the Second Time and will pass with the annexed Amendments.

Signed by Order, U. SCOTT, Cl. Up. Ho."

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"*Provided always*, That before the said Road shall be opened and established, the Inhabitants of the aforesaid Hundred shall by Petition apply to the Justices of *Baltimore* County Court, to appoint Three disinterested and substantial Freeholders of the said County for laying out the said Road, and ascertaining and allowing to the Owner or Owners of the Soil through which the said Road shall be opened and established, such a Sum of Current Money as shall be a full Recompence to such Owner or Owners, for the Damage and Inconvenience which shall happen to him, her, or them, from the opening and establishing such Road, and the said Freeholders who shall be appointed by the said Justices, shall before they proceed to open and lay out such Road, and ascertain and allow such Recompence to the Owner or Owners as aforesaid, take an Oath to do their Duty in this Behalf without Favour or Prejudice to the best of their Skill and Judgment: *And be it enacted by the Authority aforesaid*, That after opening and laying out the Road aforesaid, and ascertaining and allowing a Sum of Money for the Purpose of such Recompence as aforesaid to the Owner or Owners of the said Soil, the said Freeholders shall return a full Certificate thereof to the next County Court of the said County, and the Justices of the said County Court shall at the next *November* Court after the Return of such Certificate, assess rateably on the taxable Inhabitants of the said Hundred, the Sum ascertained and allowed as aforesaid to the Owner or Owners of the Soil aforesaid by the Freeholders aforesaid, with the Public and County Levies, together with Five per Cent to the Sheriff for Collection, which said Sum shall be collected by the Sheriff of *Baltimore* County of the taxable Inhabitants of the said Hundred, in like Manner as other Levies are by Law collected, and paid to the Owner or Owners of the Soil aforesaid without Deduction."

And a Petition of sundry of the Inhabitants of *George-Town*, on *Potowmack*, setting forth that since the Expiration of the late Inspection Law, the old Houses being insufficient for storing all the Tobacco which came to *Rock-Creek* Warehouse, a new House for holding Tobacco was built last Year by the Subscribers at their own Cost and Expence, on a Lot of Mr. *Normand Bruce's* in a very convenient and safe Part of the Town, sufficient to hold about Seven Hundred Hogsheads of Tobacco, greatly preferable in Situation to the old Houses, and therefore praying that an Act may pass ap-

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pointing the said House, as one of the public Warehouses for storing Tobacco at *Rock Creek*, thus indorsed: "By the Upper House of Assembly, *December 14, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read the First Time and ordered to lie on the Table.

George Steuart, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the Relief of the Poor in Anne-Arundel County*, thus indorsed, "By the Upper House of Assembly, *December 14, 1773*: Read the First and Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

On Motion, the Question was put that the following be entered as the Resolve of this House, *viz.* RESOLVED, That this House will make Provision for the Support of the Clergy of the Church of *England* in this Province, and that a Tax of Thirty-two Pounds of Tobacco per Poll be assessed and levied on each Taxable within this Province payable in Tobacco at Thirty, or if in Money at Four Shillings Common Currency, at the Option of the Persons chargeable therewith? Resolved in the Affirmative.

For the AFFIRMATIVE.

Messieurs	Bond,	Ware,	Hyland,	[27]
	Key,	Hawkins,	Ward,	
	Barnes,	Johnson,	Beall,	
	Ringgold,	Chase,	Sim,	
	Maxwell,	Chamberlaine,	Contee,	
	Sudler,	Thomas,	Earle,	
	Lyles,	Richardson,	So. Wright,	
	Parran,	White,	T. Wright,	
	Smallwood,	Veazy,	Paca.	

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For the NEGATIVE.

Mess.	Ridgely,	J. Hall,	Griffith,	[10]
	Deye,	Tyler,	Funk.	
	A. Hall,	Hammond,		
	Tolly,	Beatty,		

On Motion, ORDERED, That Leave be given to bring in a Bill for the Support of the Clergy of the Church of *England* in this Province, and that Mr. Chase, Mr. Paca, Mr. Johnson, Mr. Beall, Mr. Veazy, Mr. Thomas, and Mr. So. Wright, do prepare and bring in the same.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

The Paper Bill No. 7 was sent to the Upper House by Mr. *White* and Mr. *Lyles*.

The Order of the Day for taking into Consideration the Petition of sundry Inhabitants of *Saint Mary's, Charles, Calvert, and Prince-George's* Counties being read, the same is referred for Consideration on the First Thursday in next Session.

The Order of the Day for taking into Consideration the Petition of *Gilbert Falconar* being read, the same is referred for Consideration To-morrow.

The Bill, entitled, *An Act to establish a Market in Baltimore-Town, in Baltimore County, and to regulate the said Market*, was read the Second Time by an especial Order, passed, and sent to the Upper House by Mr. *Aq. Hall* and Mr. *Ridgely*.

Benjamin Ogle, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act to regulate the Criminal Business of Baltimore County*, thus indorsed: "By the Upper House of Assembly, *December 8, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 14, 1773*: Read the Second Time and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing,

And the Bill entitled, *A Supplementary Act to the Act*, entitled, *An Act for licensing Ordinary Keepers, Hawkers, Pedlers, and Petty Chapmen*, thus indorsed: "By the Upper House of Assembly, *December 11, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 14, 1773*: Read the Second Time and will pass with the annexed Amendment:

Signed by Order, U. SCOTT, Cl. Up. Ho."

After the Word "Jury" in the First Line of the Second Page, leave out the Rest of the Bill and insert the following Words, *viz.* "And in Case any of the Clerks of the County Courts of this Province shall neglect to return to the Commissioners for emitting Bills of Credit as by Law they are directed and required, the Lists of all Persons to whom Ordinary Licences shall be granted, and if any Sheriff shall neglect to make Payment to the said Commissioners, on or before the 20th Day of *October* yearly, of all Monies by him received for Ordinary Licences, then and in such Case, the said

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Commissioners are hereby directed and required to make out and deliver to the Governor or Commander in Chief for the Time being, a List of such Clerks or Sheriffs as shall make such Default as aforesaid."

The ingrossed Bills, No. 8, 9, 10, were severally read and assented to, and sent to the Upper House with the Paper Bills thereof by Mr. *Richardson* and Mr. *White*.

The House adjourns till To-morrow Morning 9 o'Clock.

W E D N E S D A Y, *December 15, 1773.*

Dec. 15

THE House met. All members present as on Yesterday. The Proceedings of Yesterday were read. Mr. *Worthington* appeared in the House.

The Bill, entitled, *A Supplementary Act to the Act, entitled, An Act for licensing Ordinary Keepers, Hawkers, Pedlers, and Petty Chapmen*, was read, and the Amendment proposed by the Upper House was read and rejected.

The Bill, entitled, *An Act for the Relief of sundry Inhabitants of Patapsco Lower Hundred, in Baltimore County*, was read, and the Amendments proposed by the Upper House were read and rejected.

Mr. *Johnson* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Support of the Clergy of the Church of England in this Province*, which was read the First Time and ordered to lie on the Table.

Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker the ingrossed Bills, No. 8, 9, 10, severally indorsed: "By the Upper House of Assembly, *December 15, 1773*: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

p. 71 The Bill, entitled, *An Act to establish a Market in Baltimore-Town, in Baltimore County, and to regulate the said Market*, thus indorsed: "By the Upper House of Assembly, *December 14, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 15, 1773*: Read the Second Time and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

And the Bill, entitled, *An Act for the Relief of insolvent Debtors*, thus indorsed: "By the Upper House of Assembly, *December 13, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 15, 1773*: Read the Second Time and will pass with the annexed Amendments.

Signed by Order, U. SCOTT, Cl. Up. Ho."

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Add to the Title of the Bill, the Words "and other Prisoners." After the Word "committed" in the Fourth Line of the First Page, insert the following Words, *viz.* "or charged." In the Fifth Line of the same Page, leave out the Words "or for want of special Bail." After the Word "Commitment" in the Seventh Line of the same Page, add the Words, *viz.* "or charge." Leave out in the Second Page the following Words, beginning in the Ninth Line, "and it doth not appear to them, or any Two of them, from the Cause or Causes of his or her Imprisonment, or by the Allegation upon Oath of the Creditors, or some of the Creditors of the said Prisoner, that the Whole of the Debts due and owing from him or her, Amount together to Two Hundred Pounds Sterling Money or the Value thereof." After the Word "Estate" in the Fourteenth Line of the same Page, add the following Words, *viz.* "Debts and Credits." In the Seventh Line of the Third Page, leave out the Word "the" next before the Word "Whole" and insert the Word "my;" and in the Eighth Line of the same Page, leave out the Words "of my own in Possession;" and after the Words "Interest in" in the same Line add the following Words, *viz.* "and of all Debts, Credits and Effects whatsoever, which I, or any in Trust for me, have, or at the Time of my Petition, had or am, or was, in any Respect entitled to in Possession, Remainder or Reversion." Leave out the Words beginning in the Eighth Line of the same Page, *viz.* "and that I have not any Estate, Goods, or Effects of any Kind whatsoever left, either in Possession, Reversion, or Remainder." After the Word indirectly in the Eleventh Line of the same Page, add the following Words, *viz.* "at any Time since my Imprisonment or before." After the Word "Estate" in the Twelfth Line of the same Page, add the following Words, *viz.* "Goods, Stock, Money, or Debts." After the Word "Trust" in the Third Line of the Fourth Page, add the Words "for him or her;" and after the Word "he" in the same Line, and the Words "or she." After the Word "Justices" in the Tenth Line of the Sixth Page, add the following Proviso, *viz.* "And provided also, That before any Suit be brought by any Sheriff aforesaid, Notice shall be given thereof in the *Maryland Gazette* for Four Weeks successively, in Order that all the Creditors of such Prisoner may have an Opportunity, if they shall think fit, of joining in the Request aforesaid, to and Indemnification of the said Sheriff, and thereby be entitled to receive rateably what shall be recovered; and the Time from the Discharge of such Prisoner as aforesaid till such Suit shall be brought, shall not be affected by any Act for Limitation of Actions, and the Creditors who shall apply and receive any Sum or Sums of Money of the

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Sheriff as aforesaid, and shall refund and pay rateably to such other Creditors as shall apply for the same thereafter, the Debt or Debts due from such Prisoner to him, her, or them, so as that the said last mentioned Creditors may receive and be paid in equal Proportion to his, her, or their Demands, and in Case such Prisoner as aforesaid shall be liable on a future Breach of a Contract by him or her made or entered into before his or her Discharge, the Person or Persons who shall be entitled as a Creditor or Creditors of such Prisoner under such Breach of Contract, shall have and receive his or her Satisfaction, rateably of the Creditors who shall have received the Whole or a Proportion of the Debts due to them on such Distribution as aforesaid, and to prevent Persons who may be charged in Execution from lying in Prison until they have spent their Substance wherewith they should satisfy their Creditors, and afterwards taking the Benefit of this Act when they have Nothing left to deliver up to their Creditors, no Person who shall be charged in Execution, from and after the Expiration of this present Session of Assembly, shall be allowed or permitted to exhibit a Petition for the Purpose aforesaid, unless such Petition shall be exhibited within Thirty Days after his or her Commitment, or being charged in Execution." Leave out the Word "or" after the Word "Descent" in the Eighth Line of the Seventh Page; and after the Word "Distribution," in the same Line add the Words "or otherwise". Leave out from and after the Word "Act," in the Twelfth Line of the Eighth Page, to the Word "Creditors," in the Seventh Line of the last Page inclusively; and immediately before the continuing Clause add the following, *viz.* "*And be it further enacted by the Authority aforesaid, That if any Person or Persons hath or have been already committed, or hereafter shall be committed by any Court for Fees, on any Criminal Prosecution, it shall and may be lawful for the Court by whom such Prisoner hath been or shall be committed, upon the Application of such Prisoner, or of the Sheriff having the Custody of such Prisoner, to order such Prisoner to be sold as a Servant to the highest Bidder, for a Term not exceeding Five Years, and to direct the Money which shall arise on such Sale, to be applied as far as the same shall extend, in or towards the Pay-*
p. 72 *ment and Discharge of the Fees for which such Prisoner hath been or shall be committed; Provided always, That if the highest Price for the Prisoner to be sold as aforesaid, shall exceed the Sum or Amount of the Fees then and in such Case, there shall be an Abatement of the Time of the Service of such Prisoner to be sold as aforesaid, in Proportion to the Part of the Purchase Money, which shall remain after Payment and Discharge of the Fees aforesaid, and the Purchaser of such Servant shall be discharged of and from such Surplus or remaining Part of the said Purchase Money after Payment of the Fees aforesaid.*"

Which was read, and the Amendments were read and unanimously rejected.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

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The House met. Mr. *Somervell* appeared in the House.

A Bill, entitled, *An Act for an Addition to Baltimore Town, in Baltimore County*, was read the First Time and ordered to lie on the Table.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker a Petition of sundry the Inhabitants on *Patuxent* River, praying that an Act may pass to prevent any Obstruction in the said River (by making Wares and Causeways over the same) from the Wharf at *Queen-Anne* Town, in *Prince-George's* County, to *Snowden's* Iron-Works, thus indorsed: "By the Upper House of Assembly, *December 15, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here the First Time and ordered to lie on the Table.

Benjamin Ogle, Esq; from the Upper House, delivers to Mr. Speaker a Petition of *Matthew Purnell*, of *Worcester* County, praying that an Act may pass requiring the Clerk of *Worcester* County, to record a Deed from *Robert Nilson*, to the Petitioner, for certain Lands by the said *Nilson* to him conveyed, which he through Ignorance neglected to get recorded agreeable to Law, and that the said Deed may be declared to be valid in Law, to pass the Lands therein mentioned to the Petitioner and his Heirs, thus indorsed: "By the Upper House of Assembly, *December 15, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here the First Time and ordered to lie on the Table.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker a Petition of the Rector, Vestrymen, and Churchwardens, and other the Inhabitants of *Saint Paul's* Parish, lying partly in *Queen-Anne's* and partly in *Talbot* Counties, praying that an Act may pass to levy on the taxable Inhabitants of the said Parish, at Three equal annual Assessments, the Quantity of Three Hundred Thousand Pounds of Tobacco, to be by the Vestry applied towards defraying the Expence of building and compleating the Parish Church in the said Parish, and to reimburse the Vestry the Money taken up by them to carry on the said Building, thus indorsed: "By the Upper House of Assembly, *December 15, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

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Which was read here and referred till the Second Tuesday in next Session of Assembly.

The Bill, entitled, *An Act for emitting Bills of Credit, and for applying Part thereof*, was read the Second Time and the Question was put, that the said Bill do pass? Resolved in the Affirmative.

For the A F F I R M A T I V E.

Messieurs	{	Bond,	Hawkins,	Sim,
	{	Key,	Johnson,	Contee,
	{	Barnes,	Worthington,	Paca,
	{	Somervell,	Chase,	Hammond,
	{	Lyles,	J. Hall,	Beatty,
	{	Parran,	Richardson,	Griffith,
	{	Smallwood,	Beall,	Funk.
	{	Ware,	Tyler,	[23]

For the N E G A T I V E.

Messieurs	{	Ringgold,	Tolly,	Hyland,
	{	Maxwell,	Chamberlaine,	Ward,
	{	Sudler,	Thomas,	Earle,
	{	Ridgely,	Lloyd,	So. Wright,
	{	Deye,	White,	T. Wright.
	{	Aq. Hall,	Veazy,	[17]

Mr. *Johnson* brings in and delivers to Mr. Speaker a Bill, entitled *An Act for raising and applying Money towards erecting and maintaining a Light-House on Cape Henry*, which was read the First Time and ordered to lie on the Table.

The Order of the Day for taking into Consideration the Petition of *Anne Abigal Armit* being read, the same is referred for Consideration on the First Wednesday in next Session of Assembly.

p. 73 The Order of the Day for taking into Consideration the Petition of *Gilbert Falconar* being read, the same is referred for Consideration To-morrow.

The House adjourns till To-morrow Morning 9 o'Clock.

Dec. 16

THURSDAY, *December 16, 1773.*

THE House met. All members present as on Yesterday. The Proceedings of Yesterday were read.

The Petition of the subscribing Inhabitants of *Baltimore County*, was read the Second Time and granted, and Leave given to bring in a Bill pursuant to the Prayer of the said Petition. ORDERED, That Mr. *Ridgely*, Mr. *Deye*, Mr. *Aq. Hall*, Mr. *Tolly*, and Mr. *Johnson*, do prepare and bring in the same.

On Motion, ORDERED, That Leave be given to bring in a Bill, to render the Recovery of the Penalty for selling Liquor without Licence more certain, and that Mr. *Johnson*, Mr. *J. Hall*, Mr. *Chase*, and Mr. *Paca*, do prepare and bring in the same.

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The Bill, entitled, *An Act for emitting Bills of Credit and applying Part thereof*, and the ingrossed Bills No. 11, 12, 13, 14, 15, 16, 17, with the Paper Bills thereof, were sent to the Upper House by Mr. *Johnson* and Mr. *Chase*.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker, the Paper Bills No. 11, 12, 13, 14, 15, 16, 17, severally indorsed: "By the Upper House of Assembly, *December 16, 1773*: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

A Petition of *John Robert Holliday*, Sheriff of *Baltimore* County; and a Petition of sundry Criminals in *Baltimore* Jail, severally indorsed: "By the Upper House of Assembly, *December 16, 1773*: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, U. SCOTT, Cl. Up. Ho."

The Bill, entitled, *An Act for the Support of the Clergy of the Church of England in this Province*, was read the Second Time and the Question was put, that the said Bill do pass? *Resolved in the Affirmative*.

For the AFFIRMATIVE.

Messieurs	Bond,	Worthington,	Ward,
	Ringgold,	Johnson,	Beall,
	Maxwell,	Chase,	Sim,
	Sudler,	Chamberlaine,	Contee,
	Lyles,	Thomas,	Earle,
	Somervell,	Lloyd,	So. Wright,
	Parran,	Richardson,	T. Wright,
	Smallwood,	White,	Paca.
	Ware,	Veazy,	
	Hawkins,	Hyland,	[28]

For the NEGATIVE.

Mess.	Barnes,	Tolly,	Beatty,
	Ridgely,	J. Hall,	Griffith,
	Deye,	Tyler,	Funk.
	Aq. Hall,	Hammond,	[11]

Mr. *Funk* hath Leave of Absence.

On Motion, ORDERED, That an Address be prepared to his Excellency in answer to his Message of the Eighth Instant. ORDERED,

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That Mr. *Johnson*, Mr. *Paca*, Mr. *Chase*, and Mr. *J. Hall*, do prepare and bring in the same.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

Mr. *Chase* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act to render the Recovery of the Penalty for selling Liquor without Licence more certain*, which was read the First and Second Time by an especial Order, passed, and sent to the Upper House, with the Bill, entitled, *An Act for the Support of the Clergy of the Church of England in this Province*, and the ingrossed Bill No. 18, with the Paper Bill thereof, by Mr. *Smallwood* and Mr. *Chamberlaine*.

The Order of the Day for taking into Consideration the Petition of *Gilbert Falconar* being read, the same is referred for Consideration on the Second Friday in the next Session of Assembly.

Mr. *Beall*, Mr. *Ringgold*, and Mr. *Maxwell*, have Leave of Absence.

George Stuart, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bill No. 18, thus indorsed: "By the Upper House of Assembly, *December 16, 1773*: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

p. 74 Mr. *Johnson* brings in and delivers to Mr. Speaker an Address to his Excellency, which was read, approved, and ordered to be ingrossed.

The Bill, entitled, *An Act for an Addition to Baltimore-Town in Baltimore County*, was read the Second Time by an especial Order and will pass.

Mr. *Beall* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the speedy Publication of the Laws of this Province, and for the Encouragement of Anne Catharine Green, of the City of Annapolis, Printer*, which was read the First Time and ordered to lie on the Table.

The Bill, entitled, *An Act confirming the Title of William Venables to the Lands therein mentioned*, was read the Second Time and will pass.

Mr. *Paca* brings in and delivers to Mr. Speaker the following ingrossed Address.

To his EXCELLENCY ROBERT EDEN, Esquire, Governor and Commander in Chief in and over the Province of Maryland.

The humble ADDRESS of the House of DELEGATES.

May it please your Excellency,

UPON Consideration of your Excellency's Message of the Eighth Instant, and the Address of the Clergy communicated therewith, we proceeded to make a competent Provision for them, by a Bill which we have sent to the Upper House.

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Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

The House adjourns till To-morrow Morning 9 o'Clock.

FRIDAY, December 17, 1773.

Dec. 17

THE House met. All Members present as on Yesterday, except Mr. Funk. The Proceedings of Yesterday were read.

His Excellency communicates to Mr. Speaker the following Message.

Gentlemen of the Lower House of Assembly,

I AM informed by the Commissioners for emitting Bills of Credit, that the Clerks of *St. Mary's, Somerset, Dorchester, and Cæcil* Counties, have returned since your Address of the 7th Inst. Accounts of the Sums received by the Sheriffs of those Counties at last *August* Court, for Ordinary Licences; and I have given Directions for ordering the Clerks of *Worcester* and *Calvert* Counties, to return forthwith to the Commissioners, Accounts of the Sums received by the Sheriffs at the last *August* Court for Ordinary Licences in their respective Counties.

I have directed that the several Sheriffs who have not complied with the Act of Assembly, made and passed at a Session of Assembly, begun and held at the City of *Annapolis* on Wednesday the Second Day of *October*, in the Year One Thousand Seven Hundred and Seventy one, be immediately required to pay up to the Commissioners in pursuance of this Act, the Ordinary Licence Fines received for the Use of the Public, and will direct the Attorney General to put in Suit the Bonds of such Sheriffs as shall not pay up the Sums due from them, in such Time as that there may be no Delay in pursuing the Measures for compelling Payment.

I shall also direct the Attorney General to put in Suit the Office Bond of *Christopher Wilkinson*, deceased, for his Default in not paying up the Half Years Land Tax, by him received, in the Year 1763, if his Representative or Sureties do not forthwith make Payment

Annapolis, 17th December, 1773.

ROBERT EDEN.

Which was read and ordered to lie on the Table.

The Bill, entitled, *An Act for the Speedy Publication of the Laws of this Province, and for the Encouragement of Anne Catharine*

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Green of the City of Annapolis, Printer, was read the Second Time by an especial Order, passed, and sent to the House with the Bill, entitled, *An Act for an Addition to Baltimore-Town, in Baltimore County*, and the Bill, entitled, *An Act confirming the Title of William Venables to the Land therein mentioned*, by Mr. Earle and Mr. Bond.

ORDERED, That Mr. Key and Mr. Hammond, do acquaint the Governor that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint Mr. Speaker that the Governor signified he would receive the Address this Afternoon in the Council Chamber, after sealing the Laws.

Mr. Thomas brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the more effectual Preservation of the Breed of wild Deer*, which was read the First and Second Time by an especial Order, and the Question was put that the said Bill do pass? Resolved in the Affirmative.

For the AFFIRMATIVE.

<i>Messieurs</i>	Bond,	Chase,	Tyler,
	Key,	J. Hall,	Sim,
	Barnes,	Chamberlaine,	Contee,
	Sudler,	Thomas,	So. Wright,
	Parran,	Lloyd,	T. Wright,
	Smallwood,	White,	Paca,
	Tolly,	Veazy,	Hammond,
	Worthington,	Richardson,	Beatty.
	Johnson,	Hyland,	

[26]

p. 75

For the NEGATIVE.

<i>Mess.</i>	Lyles,	Ridgely,	Earle,
	Somervell,	Deye,	Griffith.
	Ware,	Aq. Hall,	
	Hawkins,	Ward,	

[10]

The Committee of Accounts laid before the House an Account of *John Addison*, late Sheriff of *Prince-George's County*, against the Province for summoning and providing Necessaries for a Guard over some Negroes he had in his Custody for murdering *William Nelson*, which amounted to £.56: 5, out of which Sum the House allowed him upon the Journal of Accounts £.30 Currency.

Philip Thomas Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for an Addition to Baltimore-Town, in Baltimore County*; and the Bill, entitled, *An Act for the speedy Publication of the Laws of this Province, and for the En-*

couragement of Anne Catharine Green, in the City of Annapolis, Printer, severally indorsed: "By the Upper House of Assembly, December 17, 1773: Read the First and Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

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Which were severally read here and passed for ingrossing. And a Petition of *Samuel Dorsey*, of *Anne-Arundel* County.

On Motion, ORDERED, That Leave be given to bring in a Bill for the Repair of the Paper Currency Office, and that Mr. *Chase* and Mr. *John Hall* do prepare and bring in the same.

Mr. *Chase* brings in and delivers to Mr. Speaker the said Bill, which was read the First and Second Time by an especial Order and will pass.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act to render the Recovery of the Penalty for selling Liquor without Licence more certain*, thus indorsed: "By the Upper House of Assembly, December 16, 1773: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, December 17, 1773: Read the Second Time and will pass.

Signed by Order, U. SCOTT Cl. Up. Ho."

Which was read here and passed for ingrossing.

The Bill, entitled, *An Act for raising and applying Money towards erecting and maintaining a Light House on Cape Henry*, was read the Second Time and will pass, and was with the Bill for the Repair of the Paper Currency Office sent to the Upper House by Mr. *Sim* and Mr. *Richardson*.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

On Motion, RESOLVED, That Mr. *William Buckland*, be allowed on the Journal of Accounts, the Sum of Twenty-five Pounds Currency, for his Expences and Services relative to the public Building in this City.

George Stuart and *Daniel of St. Thomas Jenifer*, Esquires, from the Upper House, acquaint Mr. Speaker that the Governor requires the Attendance of the Members of this House immediately in the Upper House, to see the Seals put to some Laws. Mr. Speaker left the Chair, and, attended by the Members of the Lower House, went to the Upper House, and there presented to the Governor the following ingrossed Bills, viz. No. 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14,

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15, 16, 17, 18 all which his Excellency passed into Laws in the usual Manner. Mr. Speaker, with the Members of this House, returned, and resumed the Chair.

ORDERED, That Mr. *Paca* and Mr. *Chamberlaine*, do present the ingrossed Address to his Excellency.

The Petition of sundry the Inhabitants on *Patuxent* River, is referred for Consideration till next Session of Assembly.

The House adjourns till To-morrow Morning 9 o'Clock.

Dec. 11
[*Sic*, i.e., 18]

SATURDAY, *December 11* [*sic*, i.e., 18], 1773.

THE House met. All Members present as on Yesterday, except Mr. *Ringgold* and Mr. *Maxwell*. The Proceedings of Yesterday were read.

The ingrossed Bill, No. 19, with the Paper Bill thereof was read and assented to, and sent to the Upper House with the Bill, entitled, *An Act for the more effectual Preservation of the Breed of wild Deer*, by Mr. *White* and Mr. *Parran*.

Mr. *Tolly* brings in and delivers to Mr. Speaker a Bill, entitled, *An Act for the Relief of the Poor in Baltimore County*, which was read the First Time and ordered to lie on the Table.

The House proceeded to tax the following Private Bills, *viz.*

An Act to explain an Act relating to Leases made by the Rector, Vestrymen, and Churchwardens of *Saint Anne's* Parish.

To the honourable Speaker, £.4 0 0

To the Clerk, 2 0 0

An Act for quieting sundry the Inhabitants of *Frederick* County in their Possessions.

To the honourable Speaker, £.5 0 0

To the Clerk, 2 10 0

An Act to enable *Martha Roundell* and others to make Partition of the Land therein mentioned.

To the honourable Speaker, £.4 0 0

To the Clerk, 2 0 0

An Act for the directing the Sale of the Lands of *John Stone Hawkins*, deceased, for the Payment of Debts.

To the honourable Speaker, £.4 0 0

To the Clerk, 2 0 0

An Act for the Sale of the Lands late the Property of *Caleb Dorsey*, of *Anne-Arundel* County, deceased, for the Payment of Legacies.

To the honourable Speaker, £.4 0 0

To the Clerk, 2 0 0

An Act for an Addition to *Baltimore-Town*, in *Baltimore County*.

To the honourable Speaker, £.4 0 0

To the Clerk, 2 0 0

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House,
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[Sic, i.e., 18]*

Mr. *Ridgely* hath Leave of Absence till Monday next.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met. The ingrossed Bills No. 20, 21, 22, 23, were severally read and assented to, and sent to the Upper House with the Paper Bills thereof by Mr. *Veazy* and Mr. *Somervell*.

Benjamin Ogle, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bill No. 19, thus indorsed: "By the Upper House of Assembly, *December* 18, 1773: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order, U. SCOTT Cl. Up. Ho."

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bills, No. 20, 21, 22, 23, severally indorsed: "By the Upper House of Assembly, *December* 18, 1773: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order, U. SCOTT Cl. Up. Ho."

Benedict Calvert and *John Ridout*, Esquires, from the Upper House, acquaint Mr. Speaker that the Governor requires the Attendance of this House immediately in the Upper House to see the Laws sealed. Mr. Speaker left the Chair, and, attended by the Members of this House, went to the Upper House, and there presented to the Governor the several ingrossed Bills following, *viz.* No. 10, 19, 20, 21, 22, 23, all which his Excellency passed into Laws in the usual Manner. Mr. Speaker, attended by the Members of this House, returned and resumed the Chair.

The House adjourns till Monday Morning 9 o'Clock.

MONDAY, *December* 20, 1773.

Dec. 20

THE House met. All Members present as on Saturday, except Mr. *Ridgely* and Mr. *Contee*. The Proceedings of Saturday were read.

The Petition of *Samuel Dorsey* was read and granted, and Leave given to the Petitioner to bring in a Bill pursuant to the Prayer of the said Petition.

Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for emitting Bills of Credit and for applying Part thereof*, thus indorsed: "By the

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House,
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Dec. 20*

Upper House of Assembly, *December 16, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 20, 1773*: Read the Second Time and will pass.

Signed by Order, U. SCOTT Cl. Up. Ho.”

The Bill, entitled, *An Act for the Repair of the Paper Currency Office*: And the Bill, entitled *An Act for the more effectual Preservation of the Breed of wild Deer*, severally indorsed: “By the Upper House of Assembly, *December 20, 1773*: Read the First and Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT Cl. Up. Ho.”

Which said Bills were severally read here and passed for ingrossing.

The Bill, entitled, *An Act for the Relief of the Poor within the County of Baltimore*, was read the Second Time, passed, and sent to the Upper House by Mr. Deye and Mr. Tolly.

The House adjourns till 3 o’Clock.

POST MERIDIEM.

p. 77

The House met.

On Motion, RESOLVED, That there be an Allowance of £.200 Common Money to his Excellency the Governor, for the Use of his House for the sittings of the Council, the Court of Appeals, and the Chancery Court, from the Time the Council Chamber was made Use of for the Repository of the public Records, in full of all Claims to this Time against the Public for the above Purposes.

The House adjourns till To-morrow Morning 9 o’Clock.

Dec. 21

TUESDAY, *December 21, 1773.*

THE House met. All Members present as on Yesterday, except Mr. Sudler. The Proceedings of Yesterday were read.

Philip Thomas Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled *An Act for the Relief of the Poor within the County of Baltimore*, thus indorsed: “By the Upper House of Assembly, *December 20, 1773*: Read the First and Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT Cl. Up. Ho.”

And the Bill, entitled, *An Act for raising and applying Money towards erecting and maintaining a Light House on Cape Henry*, thus indorsed: “By the Upper House of Assembly, *December 17, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 20, 1773*: Read the Second Time and will pass.

Signed by Order, U. SCOTT Cl. Up. Ho."

Which Bills were severally read here and passed for ingrossing.

The ingrossed Bills No. 24, 25, 26, were severally read and assented to, and sent to the Upper House with the Paper Bills thereof, by Mr. *T. Wright* and Mr. *Beatty*.

The following Estimate, *viz.*

The Stadt House Copper Covering in Account with *Charles Wallace* the Undertaker.

D.^r

To 21043 square Feet of Copper at 18 Oz. 4 Dwt.	}	1496	0	7½
per Foot, making 23,936½ lb. Copper, at 1/3 Sterling per lb.				
To 10 per Cent. Charges of Importation.		149	12	0½
To the supposed Difference between laying on the Copper and Slate Roof.	}	100	0	0
<hr/>				
		£.1745	12	8

C.^r

By 10,000 lb. Lead to cover with Slate at 19/ per Cent.	}	95	0	0
By 180 Squares of Slate to cover with at 20/.				
By 10 per Cent. Charges of Importation.		27	10	0
By Balance in Case of covering with Copper.		1443	2	8
<hr/>				
		£.1745	12	8

Was read and ordered to be entered on the Journal.

On Motion, The Question was put, that the Stadt House in this City be covered with Copper? Resolved in the Affirmative.

For the A F F I R M A T I V E.

<i>Messieurs</i>	Bond,	Tolly,	Hyland,	
	Key,	Johnson,	Tyler,	
	Lyles,	Chase,	Sim,	
	Parran,	Thomas,	T. Wright,	
	Smallwood,	Lloyd,	Paca,	
	Ware,	Richardson,	Hammond,	
	A. Hall,	White,	Beatty.	[21]

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For the NEGATIVE.

Mess.	{ Hawkins,	Chamberlaine,	Earle,	
	{ Worthington,	Veazy,	So. Wright,	
	{ J. Hall,	Ward,	Griffith,	[9]

On Motion, ORDERED, That Leave be given to bring in a Bill for covering the Stadt House with Copper, and that Mr. *Chase* and Mr. *Johnson*, do prepare and bring in the same.

A Bill, entitled, *An Act for the Relief of Samuel Dorsey, of Anne-Arundel County*, was read the First and Second Time by an especial Order, passed, and sent to the Upper House by Mr. *Key* and Mr. *Lyles*.

Benjamin Ogle, Esq; from the Upper House, delivers to Mr. Speaker the Paper Bills, No. 24, 25, 26, severally indorsed: "By the Upper House of Assembly, *December 21*: The ingrossed Bill whereof this is the Original, read and assented to.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Daniel of St. Thomas Jenifer, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the Relief of Samuel Dorsey, of Anne-Arundel County*, thus indorsed: "By the Upper House of Assembly, *December 21, 1773*: Read the First and Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here and passed for ingrossing.

On Considering the Accounts of the Secretary against the Public, laid before this House by the Committee of Accounts, the House rejected them, because several Charges were made where no Service was performed, and in some other Instances the Articles were over charged, and in other Instances the Public was not chargeable therewith, and ORDERED, That £.52 be allowed on the Journal in full Satisfaction for Services performed by the Secretary.

p. 78 *Benjamin Ogle*, Esq; from the Upper House, delivers to Mr. Speaker a Bill, entitled, *An Act for the Support of the Clergy of the Church of England in this Province*, thus indorsed: "By the Upper House of Assembly, *December 16, 1773*: Read the First Time and ordered to lie on the Table.

Signed by Order, U. SCOTT, Cl. Up. Ho.

By the Upper House of Assembly, *December 21, 1773*: Read the Second Time and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which Bill was read here and passed for ingrossing.

The Account of *Thomas Beatty* and Company, is referred for Consideration till next Session of Assembly.

The House adjourns till 3 o'Clock.

POST MERIDIEM.

The House met.

George Steuart, Esq; from the Upper House, delivers to Mr. Speaker a Bill, entitled, *An Act for the further Continuance of an Act, entitled, An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*, thus indorsed: "By the Upper House of Assembly, *December 21, 1773*: Read the First and Second Time by an especial Order and will pass.

Signed by Order, U. SCOTT, Cl. Up. Ho."

Which was read here the First and Second Time by an especial Order, and will pass with the following Amendment, *viz.* Strike out the Words from the Word "during" in the last Line but one of the Bill to the End of the Bill, and insert the following Words, *to wit.* "the Term of Fourteen Years from the 16th Day of *November, 1773*, and until the End of the next Session of Assembly which shall happen after the Expiration of the said Fourteen Years." The said Bill was sent to the Upper House by Mr. *Chase* and Mr. *Lloyd*.

Mr. *Chamberlaine* brings in and delivers to Mr. Speaker the Journal of Accounts. Which was read the First and Second Time and assented to, and sent to the Upper House by Mr. *Chamberlaine* and Mr. *Sim*.

Philip Thomas Lee, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entitled, *An Act for the further Continuance of an Act, entitled, An Act for the Regulation of the Staple of Tobacco, and for preventing Frauds in his Majesty's Customs*; with the following Message.

By the UPPER HOUSE of ASSEMBLY

December 21, 1773.

GENTLEMEN,

WE think it would not be proper to give a Continuance to the Bill herewith sent beyond the Time mentioned therein, and hope you will agree to that Continuance, or return it with a Negative.

Signed by Order, U. SCOTT, Cl. Up. Ho."

The ingrossed Bills No. 27, 28, 29, were severally read and assented to, and sent to the Upper House, with the Paper Bills thereof, by Mr. *Hyland* and Mr. *Hawkins*.

The ingrossed Bill No. 30, was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by Mr. *Aq. Hall* and Mr. *Tolly*.

The House adjourns till To-morrow Morning 9 o'Clock.

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*Votes and
Proceedings
of the Lower
House,
printed by
A. C. Green
Dec. 22*

W E D N E S D A Y, *December 22, 1773.*

THE House met. All members present as on Yesterday. The Proceedings of Yesterday were read.

On Motion, the Question was put, That the Amendment proposed by this House Yesterday, to the Bill, entitled, *An Act for the further Continuance of An Act, entitled, An Act for*

ACTS OF THE ASSEMBLY PASSED DURING NOVEMBER–DECEMBER, 1773

At a Session of Assembly begun and holden at the City of Annapolis the Sixteenth day of November in the Third Year of the Dominion of the Right Honourable Henry Harford Esquire absolute Lord and Proprietary of the Province of Maryland And Soforth Annoque Domini One Thousand Seven Hundred and Seventy three and ended the Twenty third day of December following.

Liber R. G.
1773
p. 196

The following Laws were Enacted and Assented to by His Excellency Robert Eden Esquire Governor

No. 1 An Act for the Regulation of the Staple of Tobacco and for preventing Frauds in his Majesty's Customs

Whereas it is thought convenient by this General Assembly to have a Law for preventing the Exportation of bad unsound or Trashy Tobacco and to prevent the many Frauds in his Majestys Customs [Preamble]

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that all Tobacco which shall be exported out of this Province after the first day of January next shall be first brought to one of the Public Warehouses herein after mentioned and shall be there viewed and inspected in Manner herein after expressed except such Tobacco as hath been inspected under any Act of Assembly of this Province or under private Agreement [Tobacco exported after the first of January to be first inspected, except such as hath been inspected by private Agreement]

provided always and be it enacted that no Tobacco already inspected or hereafter to be inspected under private Agreement shall as such after the first Day of November seventeen hundred and seventy four be delivered at any of the said Warehouses for Exportation any thing herein before contained to the contrary notwithstanding. [proviso]

And be it enacted that Public Warehouses for the Inspection of Tobacco pursuant to this Act shall be kept at the several Places herein after mentioned that is to say in the County of Saint Marys at Chaptico on the Land of the late Philip Key on a Plantation where a certain Gilbert Machey lived. At Saint Innegoos on the Land of Stephen Milburn; At Wiccomoco on the Land of John Llewelin; at the Court House on the Land of Abraham Barnes on Saint Cuthburts Creek on the Land of Francis Brooke at Town Creek on the Land of Hugh Hopewell. In Kent County at Chester Town At Worton Creek on the Land of Richard Graves called Buck [Public Warehouses established.] [In St. Mary's] [Kent]

- Liber R. G. Neck. At Langfords Bay on the Land of the late Richard Gresham.
 1773 At the late Samuel Toveys on Grays Inn Creek. In Ann Arundel
 [Ann County at Elkridge Landing on Patapsco River At Indian Landing
 Arundel] on Severn River at the Land of Ease on the Land of Nicholas Mac-
 cubbin on South River And at the Landing commonly called Taylors
 near Kilkenny on Patuxent River the two last under one Inspection.
- p. 197 At Pig Point on Patuxent River. In Calvert County at the Head
 [Calvert] of Saint Leonards Creek on the Land of the late John Somerville
 on Hunting Creek on the Land of the late Robert Freeland at Lower
 [Charles] Marlborough on the Land of the late John Smyth In Charles County
 at Benedict Town on Patuxent River At Piles Fresh on M.^r John
 Parhams Land At Lower Cedar Point on Charles Jones Land At
 Chandlers Point on Portobacco Creek At Nanjemoy on Potowmack
 River on the Land of Richard Harrison At Chickamuxen Creek on
 the Land of William Smallwood At Pamunkey Creek on the Land
 [Somerset] of the late John Truman Stoddert In Somerset County At Princess
 Anns Town near Monokin Bridge and on the Land of John Maddox
 below the Mouth of Back Creek under one Inspection On Cole-
 bourns Creek on the Land of Outerbridge Horsey. And on Poco-
 moke Rehoboth Town under one Inspection On Wiccomoco River
 at the Warehouse near Greenhill Town and at the Head of Barren
 Creek on Nantokoke River on the Land of the late William Brown
 [Talbot] under one Inspection. In Talbot County at Kingston on the Lot
 of William Gale. At Parson's Landing on the Land belonging
 to James Lloyd At Emersons Landing now belonging to George
 Maxwell At Bruff's Landing on Miles River now the Property of
 Anthony Banning At Daniel Sherwood's Landing on Broad Creek
 [Dor- at Oxford on the Lott lately Richard Gildart's. In Dorchester
 chester] County at the late David Melvills Warehouse on the East Side of
 the North West Fork of Nanticoke above Cratchers Ferry At
 Hunting Creek Warehouse At the late Henry Ennalls Junior his
 Warehouse At Choptank Ferry at the Warehouse on little Choptank
 late Edward Whites At Vienna Town on the Land of the late
 Joshua Edmondson And at Slaughter Creek on the Land of John
 [Cecil] Airey in Cecil County at Frederick Town on Sassafras River In
 [Baltimore] Baltimore County at Baltimore Town At Joppa at the Ferry Landing
 on Gunpowder River At Otter Point Landing near the red Clift
 on Bush River At the late John Loneys on Swan Creek and at
 the Rock Run on Susquehannah River. In Prince Georges County
 [Prince- at Queen Ann Town on Patuxent River At Upper Marlborough
 George's] on the Land of Thomas Sim Lee. At Nottingham on the Land of
 p. 198 James Russell on the Land of Alexander Magruder At Bladens-
 burgh on the Land of Doctor David Ross At Broad Creek on the
 Land of Enoch Magruder At Piscataway on the Land of the late
 [Queen John Hawkins Junior deceased. In Queen Anne County on the late
 Anne's] Samuel Blunts Dwelling Plantation. At the late Charles Browns

Landing on Wye River. At the Head of Corsica Creek on the Land of William Hopper at the House commonly called Porters Warehouse on the Land of William Hackett At the House commonly called Wells Warehouse on Chester River At the House commonly called Pembertons Warehouse and at Choptank Bridge in Worcester County in Snow Hill at the Warehouse in the New Port Town At Broad Creek on the North Side of the wading Place In Frederick County at George Town.

Liber R. G.
1773

[Worcester]

[Frederick]

And be it enacted that all Tobacco that shall after the first Day of January next be brought to any of the Public Warehouses herein before mentioned shall be viewed examined and inspected by such Person or Persons as shall be hereunto appointed who shall be called Inspectors and nominated and appointed in Manner and Form following that is to say the several and respective Vestrymen and Churchwardens of every Parish within this Province wherein any Warehouse shall be erected or established in Virtue of this Act or the major Part of them shall and may and they are hereby authorized and required to meet together at their several and respective Parish Churches between the first and twenty fifth Days of December for this present Year and afterwards between the first and tenth Days of September Yearly during the Continuance of this Act and to nominate and recommend to the Governor or Commander in Chief of this Province for the Time being two or four able and sufficient Planters well skilled in Tobacco for each and every Inspection within their different Parishes as the Case may require for the Execution of the Office of Inspectors or Inspector without having Regard to the Residence of such Person for Inspectors as aforesaid and where it shall happen that two Warehouses under one and the same Inspection shall be in different Parishes the Vestrymen and Churchwardens of each Parish or the major Part of them shall nominate and recommend as the Case may require one or two able and sufficient Planter or Planters well skilled in Tobacco for such Inspection.

[Inspectors,
when and
how chosen.]

[If two
Warehouses,
under one
inspection be
in several
parishes,
each Parish
to chuse.]

And be it enacted that every Person to be appointed an Inspector by Virtue of this Act shall yearly before he enters upon the Execution of the said Office enter into Bond with good Surety before two Magistrates of the County wherein the Inspecting House at which such Inspector shall serve is situate in the Penalty of eighty thousand Pounds of Tobacco payable to the Lord Proprietary his Heirs and Successors with Condition for the true and faithful Performance of his Duty according to the Directions of this Act which same Bond immediately after the taking thereof shall be lodged by the same Magistrates with the Clerk of the Court of the County in which such Inspection shall be and shall be by the same Clerk recorded in the Records of the same Court and the same Bond shall or may be sued by and at the Request of any Person Intitled as holder of any Note or Receipt of such Inspector for the non-Payment or not

[Inspectors
to give bond,
with Sure-
ties, for the
due Execu-
tion of their
Office]

Liber R. G. delivering the Tobacco mentioned in such Note or Receipt without
 1773 any Assignment of such Bond and such Person shall on Nonsuit or
 Judgement for Defendant be liable for the Costs of Suit and in any
 Suit which shall be brought on any such Bond a Copy of the
 Records thereof under the Seal of the Court where the same shall
 have been recorded as aforesaid shall be good Evidence to prove the
 same Bond and the Execution thereof a Probate of the same by
 the Witnesses thereto being lodged with such Bond and the Party
 suing the same shall give Security for Payment of Costs if so
 Awarded by the Court and every Person to be appointed an Inspector
 [Oath] by Virtue of this Act shall also take the following Oath or Affirma-
 tion if a Quaker that is to say You shall swear (or affirm) that you
 will diligently and carefully view and examine all Tobacco brought
 to any Public Warehouse or Warehouses where you are appointed
 to be Inspector and all other Tobacco you shall be called upon to
 view and inspect and that you will not receive any Tobacco that is
 not in Your Judgement sound well conditioned Merchantable and
 clear of Trash nor receive pass or stamp any Tobacco or Hogshead
 Cask or Case of Tobacco prohibited by an Act of Assembly en-
 titled an Act for the Regulation of the Staple of Tobacco and for
 preventing Frauds in his Majesty's Customs and that you will receive
 pass and stamp all Tobacco that is sound, well conditioned mer-
 chantable and clear of Trash and in all things well and faithfully
 discharge your Duty in the office of an Inspector according to the
 best of your Skill and Judgement and according to the Directions
 of the said Act without Fear Favour Affection Malice or Partiality so
 help you God which oath or Affirmation shall be taken before any
 p. 200 one Justice of the Peace for the County where such Inspector shall
 officiate and by such Justice certified to the Vestrymen and Church-
 wardens of the Parish which the said Vestry are hereby obliged to
 enter among their Proceedings and if any Person shall presume
 to execute the Office of Inspector before he has given such Bond
 and taken such Oath or Affirmation as aforesaid as also the Oaths
 or Affirmations prescribed by Law to be taken to the Government
 and subscribed the Oath of Abjuration and repeated and subscribed
 the Test he shall forfeit and pay Eighty Thousand Pounds of
 Tobacco.

[Lists to be
 returned to
 the Govern-
 nor, to
 chuse two
 out of the
 four, or one
 out of the
 two.]

And be it further enacted that the several and respective Vestry-
 men and Churchwardens in all Cases shall forthwith transmit Cer-
 tificates of their Recommendation and Nomination to the Sheriff of
 the said County who shall forthwith transmit the same to the Clerk
 of the Council for the Time being to be by him immediately laid
 before the Governor or Commander in Chief for the time being out
 of which said two or four Persons to be nominated and recom-
 mended for Inspectors the Governor or Commander in Chief shall
 appoint by Warrant under his hand two Persons out of the four or

one Person out of the two recommended to him by any one Vestry and Churchwardens to be Inspector or Inspectors as the Case may require and where it shall happen that two Warehouses under one and the same Inspection shall be in different Parishes there the Governor or Commander in Chief for the Time being shall and may choose and appoint two Persons to be Inspectors in Manner aforesaid to wit one of the Nomination and Recommendation of each Parish to execute the Office of Inspectors at Such Warehouses

Liber R. G.
1773

And be it enacted that if any Person who shall be appointed by his Excellency the Governor or Commander in Chief for the Time being to be an Inspector shall refuse to take upon himself the Execution of the said Office or Duty such Person so refusing shall be and is hereby obliged and directed to signify such his Refusal in Writing under his hand directed to the Clerk of the Council for the Time being and shall within ten Days from this Receipt of his Warrant deliver such Writing to the Sheriff of the County or his Deputy where such Person shall reside under the Penalty of four hundred Pounds of Tobacco and the said Sheriff shall and he is hereby obliged to forward the same in the like Manner that Public Letters indorsed for the Lord Proprietary's Service by the Laws of this Province are to be forwarded and every Inspector or Inspectors to be chosen and Accepting the Office shall not resign his said Office or refuse to act therein until the first Day of November yearly

[Inspectors, if they refuse, to give Notice in Ten Days.]

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And be it enacted that where the same Persons are by any of the Vestries again rechosen to serve as Inspectors for the Year next following they and every of the said Inspectors shall if they incline to serve signify their Acceptance thereof within ten Days next after such Time of their being so rechosen which Signification shall be made in the same Manner as Persons appointed by his Excellency the Governor to be Inspectors are by this Act before directed to signify their Refusal to Accept of such Office

[In Case of being re-chosen.]

And to prevent the Inconvenience that may arise from the Sale of the office of Inspector

[Persons receiving a gratuity for refusing to act as Inspectors, to forfeit double the Sum.]

Be it further enacted that if any Person or Persons nominated and recommended by the Vestry and appointed by the Governor or Commander in Chief for the Time being to be an Inspector or Inspectors within this Province shall take or receive any Sums of Money or Tobacco or any other thing or any Reward or Gratuity to the Intent that he or they shall refuse to act under such Nomination and Appointment such Person so taking or receiving any thing to the Intent aforesaid shall forfeit and pay double the Value of the Sum of Money or Tobacco or other thing so taken or received and the Person or Persons paying giving or delivering or offering to pay give or deliver any Sum or Sums of Money or Tobacco or other thing to the Intent aforesaid shall forfeit and pay double the Value

Liber R. G. of the Sum of Money or Tobacco or other thing so given or delivered or offered to be given or delivered and shall forever be disabled to be an Inspector within this Province.

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[In case of the Death, &c. of an Inspector.]

And be it further enacted that in Case of the Death Refusal or Removal of any Inspector or Inspectors the Governor or Commander in Chief for the Time being shall and may nominate and appoint any other Person or Persons mentioned in the last Recommendation to be sent him as aforesaid from such Vestrymen and Churchwardens for any Inspection where a Vacancy shall or may happen as aforesaid to succeed any Inspector or Inspectors as aforesaid refusing removed or dead but should it so happen that by Death Refusals or Removals there should not be Persons enough left in the Nominations of the respective Vestrymen and Churchwardens so as aforesaid to be transmitted for the Appointment of the Governor or Commander in Chief then and in such Case the Vestrymen and Churchwardens of any Parish or Parishes where this shall happen to be the Case shall immediately meet as aforesaid and elect two or four as the Case shall require for Inspectors and as before transmit Certificates of such Nomination and Recommendation to the Sheriff of the said County who shall forthwith transmit the same to the Clerk of the Council to be as before laid by him before the Governor or Commander in Chief out of which the said Governor or Commander in Chief shall appoint a sufficient Number according to the true Intent and Meaning of this Act to serve as Inspector or Inspectors respectively in Pursuance of the Recommendation aforesaid

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[*Proviso.*] Provided always and it is true Intent and Meaning of this Act that though the Vestrymen and Churchwardens are to elect Inspectors annually yet where they elect again a former Inspector or Inspectors they shall continue such without any new Appointment by the Governor or Commander in Chief

[Vestries not to neglect to meet, to nominate and recommend Inspectors.]

And be it further enacted that every Vestrymen and Churchwarden who shall neglect or refuse (not being prevented by Sickness or some unavoidable Accident) to meet according to the Directions of this Act to nominate and recommend Inspectors or who being so met shall omit neglect or refuse to nominate and recommend Inspectors whereby Inspectors shall not be nominated and recommended in Pursuance of this Act shall forfeit and pay eight hundred pounds of Tobacco for every such offence

[*Proviso*] Provided always that no Vestrymen or Churchwarden who shall be an Inspector shall have or be allowed so long as he shall be an Inspector any Vote in the Nomination or Recommendation of any other Inspector or Inspectors and that where any Person or Persons shall be appointed in Pursuance of such Nomination and Recommendation as already mentioned and shall afterwards and again be nominated and recommended to be an Inspector or Inspectors for

the ensuing Year such Nomination and Recommendation shall be a sufficient Power to such Inspector or Inspectors to be and continue in the said Office without any further Appointment and so from Year to Year so long as he or they shall be nominated and recommended as aforesaid

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And be it enacted That every Vestryman and Churchwarden shall on Pain of forfeiting six hundred Pounds of Tobacco take the following Oath before some Vestryman then present before they proceed to the Nomination or Recommendation of any Inspector or Inspectors to wit I A B. do swear that I will faithfully honestly and justly nominate and recommend such Persons to be Inspectors as I think in my Judgement and Conscience are fit and capable to execute the Office of Inspector So help me God.

[Oath to be taken by Vestrymen and Churchwardens.]

Provided always and be it enacted that every Person nominated and recommended as Inspector according the Directions of this Act by the Vestrymen and Churchwardens of the respective Parishes of this Province shall be Inspector to execute this Act any Defect in the Nomination or Recommendation of such Inspector notwithstanding.

[Proviso.]

And be it enacted that no Person taking upon himself the Office of an Inspector shall during his Continuance in that Office or within one Year next after he shall be out of his said Office be capable of being elected a Member of the House of Deligates or shall presume to intermeddle or concern himself with any Election of a Deligate or Deligates otherwise than by giving his Vote or shall endeavour to influence any Person or Persons to give his or their Vote or Votes under the Penalty of eight thousand Pounds of Tobacco for every Offence neither shall any Inspector during the Time aforesaid be or undertake to be Collector of his Lordship's Quit Rents or of any public County or Parish Levies or of any Officers Fees nor shall directly or indirectly for himself or any other Person during his Continuance in the said Office buy or receive by Way of Barter Loan or Exchange any Tobacco whatsoever or suffer or permit any Tobacco to be bought by any Person or Persons whatsoever with any Money arising by the Sale of any Goods Ware or Merchandizes whatsoever by any of the Inspector or Inspectors either upon their own Accounts or the Accounts of any other Person or Persons whatsoever nor shall any Way intermeddle with or busy him or themselves in procuring Tobacco to be sold or consigned to any Merchant or in lading any Ship or Vessel with Tobacco (except the proper Tobacco of such Inspector or Inspectors) under the Penalty of two hundred and forty Pounds of Tobacco for every Hundred Pounds of Tobacco and so in Proportion for a greater or less Quantity so Bought or received or procured to be consigned or laden on Board such Vessel provided always that no thing herein contained shall be construed to hinder any Inspector from receiving his

[Inspectors not to be capable of being Members of the House of Delegates, or Collectors of Quit Rents, or Public or County Levies; nor to receive Tobacco by way of Loan, Barter, or Exchange.]

[But may receive their own Debts or Rents in Tobacco.]

Liber R. G. own proper Debts or Rents in Tobacco which shall be first viewed
1773 examined stamped according to the Directions of this Act.

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[Inspectors'
salaries.]
[In St.
Mary's.]

And be it enacted that the Salaries herein after mentioned shall be paid to the several Inspectors to be appointed by Virtue of this Act. In Saint Mary's County at Chaptico on the Land of the late Philip Key six thousand four hundred Pounds of Tobacco to each Inspector on a Plantation where a certain Gilbert Mackey lived to the Inspector five thousand two hundred Pounds of Tobacco. At Saint Inegoes on the Land of Stephen Milburn six thousand four hundred Pounds of Tobacco To the Inspector At Wicomico on the Land of John Llewellyn five thousand six hundred Pounds of Tobacco to each Inspector At the Court House on the Land of Abraham Barnes seven thousand Pounds of Tobacco To the Inspector At Saint Cuthberts Creek on the Land of Francis Brooke five thousand six hundred Pounds of Tobacco to the Inspector, at Town Creek on the Land of Hugh Hopewell four thousand eight hundred Pounds

[Kent.]

of Tobacco to the Inspector in Kent County at Chester Town seven thousand two hundred Pounds of Tobacco To the Inspector At Worton Creek on the Land of Richard Graves called Buck Neck two thousand four hundred Pounds of Tobacco to the Inspector At Langfords Bay on the Land of the late Richard Gresham five thousand four hundred Pounds of Tobacco to the Inspector At the late Samuel Toveys on Grays Inn Creek six thousand four hundred Pounds of Tobacco to the Inspector In Ann Arundel County to each Inspector at Elkridge Landing on Patapsico River ten thousand four Hundred Pounds of Tobacco At Indian Landing on Severn River six thousand pounds of Tobacco to each Inspector At the Land of Ease on the Land of Nicholas Maccubbin on South River, And at the Landing commonly called Taylors near Kilkenny on Patuxent River six thousand Pounds of Tobacco to each Inspector At Pig Point on Patuxent River seven thousand two hundred Pounds of Tobacco

[Anne
Arundel.]

[Calvert.]

to each Inspector In Calvert County to the Inspector at the Head of Saint Leonards Creek on the Land late of John Somerville six thousand four hundred Pounds of Tobacco To the Inspector at Hunting Creek on the Land late of Robert Freeland Eight thousand Pounds of Tobacco. To the Inspector at Lower Marlborough on the Land of the late John Smith Eight thousand Pounds of Tobacco

[Charles.]

In Charles County To each Inspector at Benedict Town on Patuxent River six thousand four hundred Pounds of Tobacco To each Inspector at Piles Fresh on M.^r John Parnhams Land five thousand four hundred Pounds of Tobacco To each Inspector at Lower Cedar Point on Charles Jones Land five thousand six hundred Pounds of Tobacco to each Inspector at Chandler's Point on Port Tobacco Creek nine thousand Pounds of Tobacco to each Inspector At Nanjemoy on Potowmack River on the Land of Richard Harrison five thousand six hundred Pounds of Tobacco To each Inspector At

Chickamuxon Creek on the Land of William Smallwood five thousand six hundred Pounds of Tobacco To each Inspector at Pamunkey Creek on the Land of the late John Trucman Stoddart five thousand six hundred Pounds of Tobacco To each Inspector In Somerset County to each Inspector at Princess Anne Town near Monokin Bridge and on the Land of the late Thomas Maddox below the Mouth of Back Creek six thousand four hundred Pounds of Tobacco To each Inspector on Coleburne Creek on the Land of Outerbride Horsey And on Pocomoke River at Rehoboth Town six thousand four hundred Pounds of Tobacco To each Inspector on Wiccomoco River at the Warehouse near Greenhill Town and at the Head of Barren Creek on Nanticoke River on the Land of William Brown six thousand four hundred Pounds of Tobacco In Talbot County to the Inspector at Kingston on the Lot of William Gale five thousand four hundred Pounds of Tobacco To the Inspector at Parsens Landing on the Land belonging to James Lloyd six thousand four hundred Pounds of Tobacco To the Inspector of the late Philip Emerson's Landing now belonging to George Maxwell nine thousand six hundred Pounds of Tobacco to the Inspector at Bruffs Landing on Miles River seven thousand two hundred Pounds of Tobacco To the Inspector at Daniel Sherwoods Landing on Broad Creek six thousand four hundred Pounds of Tobacco To the Inspector at Oxford eight thousand Pounds of Tobacco In Dorchester County to the Inspector at the late David Melvills Warehouse six thousand four hundred Pounds of Tobacco To the Inspector at Hunting Creek Warehouse Eight thousand Pounds of Tobacco To the Inspector at the late Henry Ennalls Junior his Warehouse at Choptank Ferry Eight thousand eight hundred Pounds of Tobacco To the Inspector at Edward Whites Warehouse on little Choptank seven thousand two hundred Pounds of Tobacco To the Inspector on the North East Side of the North West Fork of Nanticoke four thousand Pounds of Tobacco To the Inspector at Vienna Warehouse on the Land of the late Joshua Edmondson six thousand four hundred Pounds of Tobacco And to the Inspector at Slaughter Creek Warehouse on the Land of John Airey five thousand six hundred Pounds of Tobacco in Baltimore County to each Inspector at Baltimore Town Seven thousand Pounds of Tobacco to the Inspector at Joppa at the Ferry Landing on Gunpowder River Seven thousand Pounds of Tobacco To the Inspector at Otter Point Landing near the red Clift on Bush River seven thousand Pounds of Tobacco To the Inspector at John Loney's on Swan Creek five thousand Pounds of Tobacco. To the Inspector at Rock Run on Susquehannah River five thousand Pounds of Tobacco In Cecil County to the Inspector at Frederick Town on Sassafras River four thousand eight hundred Pounds of Tobacco, In Prince Georges County to each Inspector at Queen Anne Town on Patuxent River seven thousand two hundred

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[Somerset.]

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[Talbot.]

[Dorchester.]

[Baltimore.]

[Cecil.]

[Prince-Georges.]

Liber R. G. Pounds of Tobacco to each Inspector at Upper Marlborough seven
 1773 thousand two hundred Pounds of Tobacco to the Inspector at Nottingham on the Land of James Russell eight thousand eight hundred Pounds of Tobacco To the Inspector on the Land of Alexander Magruder eight thousand Pounds of Tobacco To each Inspector at Bladensburg ten thousand four hundred Pounds of Tobacco To
 p. 206 the Inspector at Broad Creek on the Land of Enoch Magruder eight thousand Pounds of Tobacco To the Inspector at Piscataway on the Land of the late John Hawkins Junior nine thousand six hundred Pounds of Tobacco In Queen Anne's County to the Inspector on
 [Queen-Anne's.] Samuel Blunts Dwelling Plantation eight thousand four hundred Pounds of Tobacco To the Inspector at the late Charles Browns Landing on Wye River six thousand eight hundred Pounds of Tobacco To the Inspector at the Head of Corsica Creek on the Land of William Hopper Eight thousand Pounds of Tobacco To the Inspector at the house commonly called Porters Warehouse on the Land of William Hackett six thousand four hundred Pounds of Tobacco To the Inspector at the House commonly called Wells Warehouse on Chester River three thousand six hundred Pounds of Tobacco To the Inspector at the house commonly Called Pemberton's Warehouse eight thousand four hundred Pounds of Tobacco To the Inspector at Choptank Bridge four thousand eight hundred
 [Worcester.] Pounds of Tobacco In Worcester County to the Inspector in Snow Hill Town eight thousand Pounds of Tobacco To the Inspector at the Warehouse in New Port Town five thousand Pounds of Tobacco To the Inspector at Broad Creek on the North Side at the wading
 [Frederick.] Place two thousand Pounds of Tobacco In Fredrick County to each Inspector At George Town twelve thousand Pounds of Tobacco

[Inspectors not to accept of any Fee or Reward.] And for the Direction of Inspectors in their Duty be it enacted that no Inspector shall take accept or receive directly or indirectly any Gratuity Fee or Reward for any thing by him to be done in Pursuance of this Act other than his Salary and the other Payments and Allowances herein mentioned and expressed And if any Inspector shall take accept or receive any such Gratuity Fee or Reward every such Inspector being thereof convicted shall forfeit
 [Penalty.] and pay Eight thousand pounds of Tobacco and moreover shall be disabled from holding the Place or Office of an Inspector or any other Office during the Continuance of this Act and if any Person or Persons shall offer any Bribe Reward or Gratuity to any Inspector for any thing by him to be done in Pursuance of this Act other than the fees and Allowances herein mentioned and appointed every Person so offending and being thereof convicted shall for
 [Penalty.] every such Offence forfeit and pay sixteen hundred Pounds of Tobacco

[Times of the Inspectors Attendance.] And be it enacted that all Inspectors to be appointed by Virtue of this Act shall as often as required attend their Duty at the Ware-

house or Warehouses under their Charge from the first Day of January next till the first day of April then next And every Inspection afterwards from the first day of November till the first day of April as often as required and Constantly from the said first Day of April to the twentieth day of August Yearly except Sundays and the Holy Days observed at Christmas Easter and Whitsuntide or when hindered by Sickness or in such Cases wherein this Act shall otherwise provide) and afterwards they or one of them shall Constantly attend at the same (except on Sundays to deliver out the Tobacco for Exportation untill all the Tobacco remaining there the said twentieth day of August shall be so delivered and every Inspector neglecting to attend as aforesaid shall forfeit and pay to the Party grieved sixty Pounds of Tobacco to be recovered with Cost before one Justice of the Peace for every Neglect or shall be liable to the Action upon the Case of the said Party grieved to recover all Damages which he or she shall have sustained by Occasion of any such Neglect together with his or her full Costs at the Election of such Party and every Inspector shall uncase and break every Hogshead Cask and Case of Tobacco brought to be inspected as aforesaid and if the Inspector or Inspectors (where one only is appointed) by this Act shall be of Opinion that the same is sound well Conditioned Merchantable and Clear of Trash then such Tobacco shall be weighed in Scales with Weights of the Lawful Standard and the Hogshead Cask or Case shall also be weighed by the said Inspector or Inspectors and stamped and marked with a hot Iron on the Head and Bulge in the Presence of the said Inspector or Inspectors as the Case shall be with the Name of the Warehouse at which the Tobacco therein Contained shall be viewed and inspected as aforesaid and also with the Tare of the Hogshead Cask or Case and Quantity of Nett Tobacco therein Contained but if at any house for which by this Act two Inspectors are appointed the said Inspectors shall at any Time disagree Concerning the Quality of any Tobacco brought for their Inspection to any Warehouse under their Charge they shall without Delay or as soon as Conveniently may be Call from the next adjacent Inspection another Inspector who shall determine the Difference and pass or reject such Tobacco and when any Inspector shall bring his own Tobacco to the Warehouse whereof he is Inspector the same shall not be passed or stamped unless it be first viewed examined and found good and qualified as aforesaid by the other Inspector there attending or by one or both the Inspectors as the Case shall require from the next adjacent Inspection and in Case that any Inspector shall bring his own Tobacco to the Warehouse whereof he is the only Inspector the same shall be first viewed and examined as aforesaid by the Inspectors or Inspector of the next adjacent Inspection

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[Penalty for neglect.]

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[The Duty of Inspectors.]

[What is to be done when Inspectors disagree.]

[Inspectors own tobacco.]

and be it enacted that it shall and may be lawful in Case of the

Liber R. G. Sickness or other Disability of one Inspector that the other may
 [In Case of the Inspectors Sickness, &c.]¹⁷⁷³ by himself and he is hereby authorized and impowered to do and
 execute all the Powers and Authorities which by this Act the two
 Inspectors together might do as fully to all Intents and Purposes as
 if they were both present and the Inspector so acting alone shall
 be answerable for all and every the Hogsheads or Parcels of Tobacco
 so by him inspected and passed and that his Bond shall and may
 be sued for any Breach of the Condition thereof by such Inspector
 Committed during the Absence of such sick or disabled Inspector
 [Inspector acting alone.]

p. 208 And be it enacted that if it shall hereafter happen that both the
 [In Case both spec- inspectors at any House shall at the same Time be sick or disabled
 tors [sic] and thereby prevented from attending their Duty that then and in
 should be such Case only it shall and may be lawful for each of the said In-
 must ap- spectors and they and each of them are hereby required to Nominate
 point;] and appoint one other Person being a sufficient Planter and well
 skilled in Tobacco which two Persons so as aforesaid to be appointed
 are to view Inspect pass and stamp or refuse the Tobacco brought to
 the said house during the Sickness or Disability of such sick or
 disabled Inspectors each of the said two Persons so appointed first
 taking the Oath of Office and other Oaths (or Affirmation if a
 Quaker) directed by this Act to be taken by Inspectors and sub-
 scribing the Oath of Abjuration and repeating and subscribing the
 Test and the said sick or disabled Inspectors and their Surities shall
 still be answerable for the said Tobacco so by the Persons by them
 severally appointed inspected and passed in the same Manner as if
 they and each of them had personally officiated
 [But them- selves be answer- able.]

[Where there is but one Inspector, when sick, he must ap- point;] And be it enacted that if it shall hereafter happen that the In-
 spectors at any house where but one is by this Act appointed shall
 be sick or disabled and thereby prevented from attending his Duty
 that then and in such Case only it shall and may be lawful for such
 Inspector And he is hereby required to nominate and appoint one
 other Person being a sufficient Planter And well skilled in Tobacco
 which Person so as aforesaid to be appointed is to view inspect pass
 and stamp and refuse the Tobacco brought to the said House during
 the Sickness or Disability of such sick or disabled Inspector the said
 Person so appointed first taking the Oath of Office and other Oaths
 or Affirmation if a Quaker directed by this Act to be taken by In-
 spectors and subscribing the Oath of Abjuration and repeating and
 subscribing the Test and the said sick or disabled Inspector and his
 Surities shall still be answerable for the said Tobacco so by the Per-
 son by him appointed inspected and passed in the same manner as
 if he had personally officiated.
 [But him- self to be answer- able.]

[Beams, Weights, and Scales, to be kept at each Ware- house;] And be enacted that there shall be provided by the Justices of
 each County at the County Charge and kept at every one of the
 said Warehouses a good and sufficient Beam Weights and Scales to
 weigh fifteen hundred Gross Pounds at the least and a set of small

Weights such as are or ought to be provided for the Standard Weights of each County and the said Justices are hereby required and obliged to keep the same in Good Repair together with the Blocks Tackles and other necessities and shall Yearly at their respective November Courts appoint two or more of their Number for each Warehouse one of whom shall sometime in the Month of January next and afterwards sometimes in the Month of June and November yearly go to the several Warehouses to which they are so appointed and view and examine the Beams and Scales and other Necessaries and try the Weights by the Standard Weights of the County at every Warehouse in their respective Counties and if the said Beams and Scales shall be found defective or the Weights be found to differ from the Standard or other necessities required by this Act be found wanting the said Justices or Justice shall Cause the same to be repaired and amended and the Charge of such Repairs shall be paid by the Inspectors respectively and be allowed them in their Account with the said Justices And it is hereby declared to be the Duty of the Standard keeper of each County in this Province when required to attend the said Justices so to be appointed with the Standard Weights of the County and to assist them in adjusting the Beams and Scales and trying the Weights as aforesaid at all and every the Warehouses in the said County and the said Standard keepers shall be allowed at every November Court by the Justices of their respective Counties their reasonable Accounts for their Trouble.

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[And examined every Year by the Justices, &c.]

And be it enacted that the Warehouses wharf's Prizes and Cranes already built and by this Act Continued to be Warehouses for the Inspection of Tobacco where the same Warehouses have been Commonly since the twentieth Day of October seventeen hundred and seventy used and employed for receiving and storing Tobacco for Rent or Reward shall continue to be made Use of as Warehouses by Virtue of this Act and the Owners or Proprietors of every such House are hereby obliged to let the same to the Inspector or Inspectors as the Case shall be under the Penalty of thirty two thousand Pounds of Tobacco and in that Case the Rent of six Pounds of Tobacco per Hogshead shall be paid to such Owners or Proprietors of the Warehouses in Ann Arundel, Calvert, Somerset, Worcester, Baltimore, and Frederick Counties and eight Pounds of Tobacco per Hogshead to the Proprietors of the Warehouses in Kent, Charles, Saint Marys, Talbot, Prince Georges Dorchester Cæcil and Queen Anns Counties respectively by the several Proprietors and the Tobacco by this Act to be paid for the Inspection and also for the Cropping and reprizing of Tobacco shall be applied to pay and defray the Charge of the Inspection Salaries and other Expences such as finding Weights and Scales and other Necessaries mentioned in this Act and the keeping them in Repair according

p. 209
[Owners of Warehouses already built obliged to let them, &c.]

Liber R. G. 1773 to the true Intent and Meaning of this Act and that for all Matters relating to the Expence of putting this Act in Execution and the Profits to be raised thereby the several Inspectors shall Annually lay before the respective Justices fair and distinct Accounts of the Profits and Loss relating to their respective Offices on Oath or Affirmation if a Quaker and the Justices aforesaid shall settle and adjust such Accounts and that if the Profits of the said Warehouses shall over and above bear the Expences of this Act that then the Overplus shall be applied to defray the Charge of the County.

[Owners of Warehouses or Inspectors not to make any private Use thereof.] And be it enacted that the Owner or Proprietor or the Inspector or Inspectors of any Warehouse or Warehouses shall not on any Pretence whatsoever make any Private Use thereof or suffer the same to be done whilst the same shall be under Rent to the Public under the Penalty of one thousand Pounds of Tobacco nor shall the said Inspectors keep any horses Cattle Sheep or hogs in any the Public Warehouses nor shall the said Inspectors or any other Person bringing any Tobacco to any Warehouse according to the Directions of this Act suffer or allow their horses to be at large upon the Land appointed for such Warehouses or the Lands adjoining thereto under the Penalty of forty Pounds of Tobacco to the Owner of the Land to be recovered by him before any one Justice of the County nor shall any person hunt on the Lands appointed for any Public Warehouse under Penalty of two hundred Pounds of Tobacco to the Owner to be recovered as aforesaid

[Inspectors to account every November Court with the Justices.] And be it enacted that all Inspectors shall annually in November Court after the Sale of the Transfer Tobacco and one day before the laying of the County Levy account with the Justices of the respective Counties upon Oath or Affirmation if a Quaker for all Monies and Tobaccos received or which ought to be received by them by Virtue of this Act except the Money and Tobacco paid for Nails In which Account they shall be allowed their Salaries the Rent for Warehouses Purchase of Tobacco Hogsheads and other necessary Disbursements in Pursuance of this Act and shall and are hereby obliged to pay to the Owners or Proprietors for the Rent of their Warehouses the same Proportion in Money and Tobacco as they shall on the whole receive in that Year on Account of the said Warehouses

[Justices to levy a sufficient Quantity of Tobacco at their November Courts Yearly to discharge the Claims of Inspectors.] And if it shall happen that at the Laying of the said County Levy there shall be any Claim or Claims arising by the Salary of an Inspector or Inspectors County Clerk or other Annual Charge from any Inspection House or Houses within any County in this Province it shall and may be lawful for the Justices of such County respectively and they are hereby directed and required at the November Court of such County Yearly to assess and levy a Quantity of Tobacco sufficient to discharge the same on the taxable Inhabitants of

such County that thereby the Current Expences of each Year may be defrayed. Liber R. G.
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And be it enacted that if any of the Warehouses herein before mentioned or that shall be erected in Virtue of this Act shall happen to be burnt the Loss of Tobacco sustained thereby shall be made good and repaid to the several Persons injured by an Allowance in the Public Levy at the next Sessions of Assembly after such Loss And in Case of such Accident no Inspector or Inspectors shall be sued or molested for or by Reason of any Notes or Receipts by them given for any Tobacco burnt in the said Warehouse but shall be altogether acquitted and discharged of and from the Payment in the Tobacco in such Notes or Receipts mentioned any thing to the Contrary Notwithstanding

[If Warehouses should happen to be burnt, the Loss to be made good.]

And be it enacted that the Inspectors hereafter mentioned shall not be obliged to attend on any other Days between the first day of April and the twentieth Day of August Yearly unless specially required, than the Days following that is to say the Inspector at Worton in Kent County on the Monday of every Week the Inspector at Langfords Bay on the Fryday and Saturday of every Week the Inspector at Toveys Warehouse on the Fryday and Saturday of every Week the Inspector at Chester Town on the Thursday Fryday and Saturday of every Week the Inspector at Broad Creek in Worcester County the Monday in every Week the Inspector at New Port Warehouse in Worcester County Thursday Fryday and Saturday in every Week The Inspector at Wells's Warehouse and Bridge Town Warehouse in Queen Anns County Monday and Tuesday in every Week and the Inspector at Frederick Town in Cecil County on Monday in every Week

[Time of Attendance of the Inspectors of some particular Warehouses.]
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And be it enacted that every Inspector and Inspectors within this Province shall and they are hereby obliged and directed Yearly immediately after the Conclusion of the respective Inspections and prizing Carefully to take down the Scales Ropes and Blocks belonging to the several and respective houses and lay up the same with the Weights in some Part of the respective houses and preserve the the same from damage and that the Property of the said Scales Ropes Blocks and Weights shall be so far vested in the said Inspectors as to punish any Tresspass or Felony thereof and an Inspector or Inspectors who shall neglect to take down and lay up the Blocks Ropes Scales and Weights as aforesaid immediately after they have finished Prizing shall forfeit and pay the Sum of eight hundred Pounds of Tobacco.

[Inspectors to take care of Weights, Ropes, Scales, &c.]

And whereas it has been represented to this Assembly that the Warehouse on Broad Creek at Daniel Sherwood's Landing in Talbot County was blown down in May seventeen hundred and seventy one and was immediately rebuilt at private Expence and it is thought just and reasonable that such Expence be reimbursed

[Broad-Creek Warehouse being blown down, and rebuilt at private Expence;]

Liber R. G. Be it therefore enacted that the Justices of Talbot County shall
 1773
 [Justices to and they are hereby required upon Application to pay to any Person
 repay the or Persons out of any Monies due to the said County in the hands
 same.] of the Sheriff or levy on the taxable Inhabitants thereof for the
 Use of such Person or Persons such reasonable Sum or Sums of
 Money as shall appear to the said Justices to have been expended
 in rebuilding the said Warehouse

[All Tobacco for And be it enacted that from and after the first Day of January
 Exportation to be taken next no Person shall put on Board or receive into any Vessel any
 on board at Tobacco in any Hogshead Cask or Case to be exported out of this
 some public Province before the same shall have been viewed and inspected
 Warehouse, according to the Direction of this Act (except as before excepted)
 after the but that all such Tobacco to be received or taken on Board any Ship
 same is or other Vessel and to be therein exported or to be Carried or put
 inspected.] on Board any other Ship or Vessel for Exportation as aforesaid
 shall be received or taken on Board at the several Warehouses for
 that Purpose herein mentioned or some or one of them, And at
 no other Place whatsoever And every Master Mate or Boatswain

p. 212 of any Vessel within Province which shall lade Tobacco for Ex-
 portation during the Continuance of this Act shall before the said
 Ship or Vessel be permitted to take on Board any such Tobacco

[An Oath to be ad- make Oath or Affirmation if a Quaker before the Naval Officer of
 ministered the District wherein such ship or Vessel shall arrive (which Oath
 to Masters, the said Naval Officer is hereby impowered and required to admin-
 Mates, and ister that they will not Crop Cut away the Bulge draw the Staves or
 Boatswains otherwise abuse or injure any Tobacco Cask freighted in his Ship
 of Vessels, or Vessel nor Cause or suffer the same to be done with his Knowledge
 before tak- Privy or Procurement nor will permit any Tobacco to be taken on
 ing Tobacco on Board their respective Ships or Vessels except the same be packed
 Board.) in Hogsheads Casks or Cases stamped by some Inspector as by
 Law directed legally thereto appointed or inspected and stamped
 under private Agreement which Oath they shall subscribe in a Book
 to be kept by the Naval Officer for that Purpose and if any such
 Master shall Cause any Person who is not really and bona fide Mate
 or Boatswain of the Ship or Vessel to Come on Shore and take such
 Oath he shall for the said Offence forfeit and pay four thousand and
 eight hundred Pounds of Tobacco And if any Master or Commander
 of any ship or Vessel shall take on Board or suffer to be taken on
 Board the Ship or Vessel whereof he is Master any Tobacco brought
 from any other Place than some or one of the Public Warehouses
 herein mentioned or any Hogshead Cask or Case of Tobacco not
 stamped by some Lawful Inspector or under private Agreement as
 aforesaid shall suffer to be brought on Board any Tobacco except in
 Hogsheads Casks or Cases stamped as aforesaid every such Master
 and Commander shall forfeit and pay four thousand eight hundred
 Pounds of Tobacco for every Hogshead Cask or Case of Tobacco

[Penalty in Case of Default.]

which shall not have been brought from one of the Public Warehouses or which shall not be stamped as aforesaid and moreover every such Hogshead Cask or Case of Tobacco shall be forfeited. Liber R. G.
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And for as much as the permitting Tobacco in Bulk or Parcels to be Water born on Pretence of being Carried to the Warehouses established by this Act may give great Opportunity to the Clandestine running the same on Board the ships lying at or near the said Warehouses whereby the Evil of exporting trash Tobacco may be still Continued

Be it enacted that if any Person taking upon himself to Carry any Tobacco to or from any of the said Warehouses in his Vessel for hire shall presume to take on Board or permit or suffer to be taken on Board any Tobacco whatsoever in Bulk or Parcels such Tobacco (except as before excepted) shall not only be forfeited and may be seized by any Person or Persons whatsoever but such Master or Skipper offending herein shall forfeit and pay two hundred and forty Pounds of Tobacco for every hundred Pounds of Tobacco and so proportionably for a greater or lesser Quantity And the Master or Commander of any Ship or Vessel wherein any Tobacco in Bulk or Parcels shall be found shall over and above the Forfeiture thereof be liable to the same Penalty to be recovered if it doth not exceed twelve hundred Pounds of Tobacco before any three Justices of the Peace of any County near the Place where such Ship Sloop Boat or other Vessel shall lie And if it exceeds twelve hundred Pounds of Tobacco in any Court of Record by Action of Debt wherein the Plaintiff shall recover Costs And if such Vessel be under the Care and Management of a Servant who Cannot satisfy and pay the said Penalty then such Servant shall upon Complaint thereof made to any Justice of the Peace have and receive by Order of the said Justice on his Bareback any Number of Lashes not exceeding thirty nine well laid on and if such Servant shall be again trusted with the Care and Management of any such Vessel and shall be Convicted a second Time of taking or receiving on Board the same any Tobacco in Bulk or Parcel Contrary to the Directions of this Act the Owner of such Servant shall forfeit and pay the like Sum of two hundred and forty Pounds of Tobacco for every hundred Pounds of Tobacco and so in Proportion for a greater or lesser Quantity so taken or received on Board in Bulk or Parcel and shall also forfeit and Pay sixty Pounds of Tobacco for every Day such Servant shall thereafter be Employed as skipper or Master of any such Vessel to him belonging

[Tobacco may not be taken on Board any Vessel in Bulk or Parcels.]

p. 213

[Penalty and Punishment of Persons conniving at taking such Tobacco on Board.]

Provided always that Nothing herein before Contained shall be Construed to prohibit any Person from Carrying or Causing to be Carried to the said Warehouses in any Boat or other Vessel any Tobacco in Bulk or Parcels for the Payment of his or her Levies [Proviso, in regard to Tobacco for the Payment of Levies, Debts, &c.]

Liber R. G. or Debts nor to prohibit any Person to put or take on Board any
 1773 Vessel Hogsheads Casks or Cases of Tobacco to be Water-born to
 any Warehouse appointed by this Act so as the same be not Carried
 out of the Naval Officers District wherein the said Tobacco shall be
 made nor to prohibit the Owner of any Tobacco to transport his
 Crops or any Part thereof in Hogsheads Casks or Cases from one
 Place to another for the better handling and managing thereof nor
 any Purchaser of Tobacco from bringing the same by Water to be
 repacked sorted stemmed or Prized before the same be Carried to
 p. 214 any Warehouse so as such last mentioned Tobacco to be packed in
 Hogsheads Casks or Cases

[Skippers of Vessels, &c. carrying Tobacco, to be sworn.] And be it enacted that it shall not be lawful for any Skipper of
 any Vessel to take any Tobacco except as before excepted) from
 any Warehouse within this Province in Order to Carry the same on
 Board any Vessel for Exportation before such Skipper shall make
 Oath or Affirmation if a Quaker before the Inspector or Inspectors
 of such House or Houses who are hereby authorized and required
 to administer the same under the Penalty of eight hundred Pounds
 of Tobacco for every Neglect that all such Tobacco which he shall
 from Time to Time take on Board such Vessel he the said Skipper
 will with all Opportunity of Wind and Weather convey or Cause to
 be Conveyed on Board such Vessel to which it shall be directed by
 the Owner or Owners thereof to be loaded for Exportation and that
 he the said Skipper will not take nor suffer to be taken by any Per-
 son whatsoever any Tobacco out of such Hogshead or Hogsheads
 and that he will not willfully damage or suffer to be damaged such
 Tobacco whilst the same shall be under his Care and Management
 and if any Skipper as aforesaid shall refuse or delay taking the
 Oath (or Affirmation if a Quaker) aforesaid in Manner and form
 aforesaid such Skipper for every Hogshead of Tobacco taken on
 Board contrary to the Intention of this Act shall forfeit and pay
 the Sum of three thousand two hundred Pounds of Tobacco

[Penalty on refusing to take the Oath.]

[Masters of Ships to lodge Three fair Manifests, sworn to, with the Naval Officers.] and be it enacted that the Master of every Vessel wherein Tobacco
 shall be laden for Exportation shall at the Time of clearing deliver
 to the Naval Officer three fair Manifests of all the Tobacco on
 Board his Vessel expressing the Marks and Numbers of every Hogs-
 head and the Tare and nett Weight stamped thereon the Person
 by whom shipped and from what Warehouse and shall make Oath
 or Affirmation if a Quaker thereto and that the same is a just and
 true Account of the Marks Numbers Tare and nett Weight of each
 respective Hogshead as the same was taken down by the Person or
 Persons appointed by him to take the same before the said Tobacco
 was stowed away and no Vessel shall be cleared by the naval Officer
 before he shall have received such Lists and Manifests one of which
 said Manifests shall by the said Naval Officer be annexed to such
 Masters Certificate or Clearance to the End the same may be de-

livered to the Chief Officer of the customs in such Port or Place where such Vessel shall unlade and one of the other two of the said Manifests shall by the said naval Officer be transmitted to the said Chief Officer of the Customs by the next convenient Opportunity and the third kept in his Office

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And be it enacted that if the Skipper of any Vessel or other Person or Persons to whom the Care and Management thereof shall be entrusted shall land or put on shore any Hogshead Cask or Case of Tobacco put on Board the same to be carried to any Public Warehouse at any other Place or Places than the Warehouse or Warehouses by this Act appointed for the Reception and Inspection of Tobacco or at some one of them or the Wharfs or other Landing to such Warehouse or Warehouses belonging or shall put the same on Board any other Vessel or shall suffer the same to be done so as the same be not delivered at some of the said Public Warehouses without Fraud or Imbezzlement or shall open any Hogshead Cask or Case of Tobacco so as aforesaid waterborn and landed and take thereout any Tobacco before the same be viewed by some Inspector or Inspectors according to the Directions of this Act or after the same has been viewed shall fraudulently open any Hogshead Cask or Case and take thereout any Tobacco every such Offence shall be adjudged Felony and the Offender or Offenders shall suffer by Whipping and Pilloring and paying fourfold as in Case of Felony.

[No Tobacco to be re-landed but at Inspection Houses; Nor to be taken out of the Cask by any Skipper, &c. before inspected: nor taken out fraudulently after Inspection.]
p. 215

Provided always that Nothing herein before contained shall be Construed to prohibit the Landing or Putting on shore any Hogshead Cask or Case of Tobacco out of any Vessel so as such Landing be really and bona fide for the Preservation of the Tobacco laden in such Vessel and that the same be with all convenient Speed carried thereafter to the Warehouse or Vessel as the case shall be to which it was designed without Imbezzlement.

[Proviso in Case of Distress of Weather.]

Provided also that if by any Accident or Negligence of the Master or Skipper of any Vessel any Tobacco which hath been viewed and stamped shall in its Carriage to the Vessel in which it is intended to be exported receive so much Damage as that the Master of such Vessel will not receive it on Board every Hogshead Cask or Case of Tobacco so damnified shall with all convenient Speed be Carried to some Warehouse appointed by this Act and there lodged until the Owner of such Tobacco or Master of the Vessel in which it was damaged shall have so separated the same and then the remaining good Tobacco shall be stamped by the Inspector or Inspectors attending such Warehouse without Fee or Reward

[Tobacco damaged in its Carriage to the Ship, may be re-landed, separated, and repacked.]

And be it enacted that if any Tobacco shall be brought to any of the said Warehouses the said Inspectors or one of them in Case of Sickness or other Disability where two are appointed to attend such House or the Inspector if one only is appointed to attend after he or they hath or have viewed examined and weighed the said

[Notes to be given by Inspectors for Tobacco brought to the Warehouses for Payment of Debts:]

Liber R. G. Tobacco according to the Directions of this Act shall be obliged to
 1773 deliver to the Persons bringing the same as many Notes under the
 hands of the said Inspectors or Inspector as shall be required
 for the full Quantity received by them or him in which shall be
 expressed whether the Tobacco so received be stemmed leaf or
 [To be cur- coloured which Notes shall be current and received in Payment
 rent and Satisfaction of all Contracts for Tobacco and Judgments
 transfer- and Dues on Contracts for Tobacco and all Public Levies and
 able.] all County Levies assessed by Virtue of the Act entituled an Act
 empowering the Commissioners of the County Courts to levy and
 assess Tobacco to defray the necessary Charges of their Count-
 ties and Parishes and also of all Parish Assessments made in
 Virtue of any Application by the Vestrymen and Church War-
 dens of any Parish within this Province in the County where the
 Tobacco shall be inspected according to the Species expressed in
 the Note and shall be transferrable from one to another in all such
 Tobacco Payments and shall be payed and satisfied by the Inspector
 or Inspectors who signed the same upon demand and for every Hogs-
 head of Tobacco brought to any Public Warehouse for the Dis-
 charge of any Public or private Debt in good Cask of such Dimen-
 sions as herein after expressed there shall be allowed by the Inspector
 or Inspectors thereof to the Person bringing the same after the
 rate of four Pounds of Tobacco for every hundred Pounds of
 Tobacco therein contained after the same shall be viewed and
 passed and the said Inspector or Inspectors shall and are hereby
 obliged to make every Hogshead by him or them paid away in
 Discharge of any Note by him or them given as aforesaid to con-
 tain nine hundred and fifty Pounds of Tobacco at the least exclusive
 of the Allowance for the Cask and for every such Hogshead of
 Tobacco by him or them paid away well lined and nailed fit for
 Shipping there shall be paid by the Person receiving such Hogs-
 head fifty six Pounds of Tobacco for inspecting and four Pounds
 of Tobacco for Nails which said Sum of four Pounds of Tobacco
 the Inspector may retain in his hands to reimburse the Expence of
 providing Nails And the Person demanding or receiving Tobacco
 in Discharge of Notes as aforesaid shall allow to the Inspector or
 Inspectors four Pounds of Tobacco per Centum for the Cask and
 two Pounds of Tobacco for every hundred Pounds of Tobacco
 contained in such Notes and so proportionably for a greater or
 lesser Quantity for Shrinkage and wasting if the said Tobacco be
 paid at any Time within two Months after the Date of the Note
 given for the same and one Pound of Tobacco for every hundred
 Pounds of Tobacco for every Month the same shall be unpaid
 after the said Allowance so as such Allowance for Shrinkage and
 Wasting does not exceed in the whole six Pounds of Tobacco for
 every hundred Pounds of Tobacco and if any Inspector or Inspectors

p. 216
 [Allowance
 of 4 per
 Cent. for
 Tobacco
 brought in
 good Casks.]

[Weight.]

[Allowance
 to Inspec-
 tors for
 Nails, &c.]

[Shrink-
 age.]

by whom any such Notes for Tobacco as aforesaid shall be signed shall refuse or delay to pay and satisfy the same when demanded every Inspector so refusing or delaying shall forfeit and pay to the Party injured double the Value of Tobacco so refused or delayed to be paid to be recovered with Costs if the Note or Notes so refused or delayed to be paid exceed six hundred Pounds of Tobacco and if the Note or Notes do not exceed six hundred Pounds of Tobacco double the Value aforesaid shall and may be recovered before any Justice of the Peace of the County wherein the Warehouse shall be at which the Note or Notes ought to be paid.

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[Inspectors
not to delay
Payment.]

And be it enacted that during the Continuance of this Act no tender of any Debt or Duty payable in Tobacco for any Contract for Tobacco or Judgment or Decree on any Contract for Tobacco or for any such Public or County Levy or Parish Assessment as aforesaid shall be accounted Lawful unless Payment of the same shall be tendered in Inspector or Inspectors Notes or Receipts on all which Receipts for Crop Tobacco shall be allowed in such Payments after the Rate of four Pounds of Tobacco for every hundred Pounds of Nett Tobacco therein contained

[What is
lawful
Tender.]

And be it enacted that when any Person shall be entituled to receive a Hogshead of Tobacco by Virtue of any Inspector or Inspectors Notes or Receipts the Inspector or Inspectors shall be obliged to open the Hogshead and show such Tobacco to the Person demanding the same and also reweigh the same if required whether such Tobacco be Crop or Transfer and if such Person shall refuse to accept of the Tobacco offered or tendered in Payment as unmerchantable such Person so refusing and not accepting thereof shall make immediate Application to any one Justice of the Peace of the County where such Warehouse shall be at which the Tobacco so refused shall be offered or tendered in Payment who is no Ways related to the Parties nor concerned in Interest and the said Justice by Warrant under his hand shall immediately appoint three of the most able Planters well skilled in Tobacco and who are no Ways related to the Parties nor concerned in Interest to view and examine the said Tobacco which said three Planters so as aforesaid appointed shall immediately repair before some Justice and shall take an Oath or Affirmation if a Quaker before such Justice which Oath or Affirmation such Justice is hereby impowered and required to administer carefully to view and examine the said Tobacco and to the best of their skill and Judgment not to pass any Tobacco that is not sound well conditioned merchantable and clear of Trash according to the Directions of this Act and that they will therein do their Duty according to their Judgement and Conscience without Fear favour Affection Malice or Partiality which said three Planters so sworn are hereby directed impowered and required upon such Application to repair to the Warehouse where such Tobacco shall be offered or tendered in Payment and carefully to view and examine the same

[Disputes
concerning
the Quality
of Tobacco
demanded of
Inspectors,
to be decided
by 3 skilful
Planters ap-
pointed by a
Magistrate.]

p. 217

[The 3
Planters to
be sworn.]

Liber R. G. in such Manner as they shall think fit and if any two of them shall
 [The Judg-¹⁷⁷³ adjudge the Tobacco or any Part thereof so tendered or offered in
 ment of 2 Payment to be unmerchantable to Cause the same to be immediately
 of them to burnt unless the said Inspector or Inspectors shall desire to pick the
 determine.] same in which Case the said three Planters chosen to view such
 Tobacco as aforesaid shall Cause the said Inspector or Inspectors
 to pick the same and shall cause the unmerchantable Tobacco therein
 to be burnt and for their Trouble the said three Planters who shall
 [Their Fees, be present at such View shall be paid by the Inspector or Inspectors
 by whom who offered the same in Payment forty Pounds of Tobacco each
 paid.] And if the said Planters or any two of them shall adjudge the
 Tobacco so offered or tendered in Payment to be merchantable
 according to the Directions of this Act the said Planters so attend-
 ing shall be paid by the Party desiring such View forty Pounds
 of Tobacco each as aforesaid and when any Tobacco shall be ten-
 dered or offered in Payment by any Inspector and refused the said
 [Tobacco Inspector or Inspectors shall not be at Liberty to tender or offer
 offered, not to be changed, without being viewed, under a Pen-
 alty.] alty.] Tobacco in Lieu thereof before such Tobacco shall have been
 viewed as aforesaid but the Person refusing shall immediately mark
 the same and if any Inspector shall offer or tender in Payment any
 Tobacco in Lieu of the Tobacco so refused before the same shall
 have been viewed as aforesaid or shall not produce the same Tobacco
 so refused to the said Viewers in either Case it shall be taken for a
 Conviction that the Tobacco first tendered in Payment was bad
 unsound and unmerchantable And moreover the said Inspectors shall
 forfeit and pay sixteen hundred Pounds of Tobacco for every such
 Offence, And if the Person who shall refuse any Hogshead of
 Tobacco as aforesaid shall accept and receive another Hogshead
 of Tobacco in Lieu of that refused before such Hogshead so refused
 shall be viewed as aforesaid he shall forfeit and pay sixteen hundred
 Pounds of Tobacco for every Hogshead

[In case In- And be it enacted that where two Inspectors in the same Inspection
 spectors dis- shall disagree as to the Quality of any Hogshead of Tobacco and
 agree in that a Review shall be required and such Hogshead or any Part
 Opinion.] thereof shall be by such Reviewers adjudged unmerchantable or be
 burnt by the Directions of this Act that then and in such Case the
 Inspector who was against first passing such Tobacco shall not be
 burthened with making Satisfaction for the same or any Part
 thereof but in such Case the other Inspector who would have passed
 the same and approved thereof shall be burthened with and make
 Satisfaction for the whole any thing in this Act to the contrary
 [Inspectors not to give Notes for Tobacco unless they have received the full Quantity, &c.] in any wise notwithstanding

And be it further enacted that no Inspector or Inspectors shall
 hereafter on any Pretence whatsoever presume to give out any
 Note or Notes for Tobacco to any Person whatsoever unless he or

they shall have actually received and passed the full Quantity of Tobacco for which such Note or Notes shall be given under Penalty of his or their forfeiting his or their Year's Salary nor shall any Inspector or Inspectors hereafter presume to give out any Crop Note or Receipt in Lieu of Transfer Tobacco unless the Hogshhead of Tobacco for which such Note or Receipt shall be so given out shall be actually prized and ready to be delivered for Exportation under the Penalty of eight hundred Pounds of Tobacco for every Crop Note or Receipt so given

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And be it enacted that all Tobacco brought to any of the said Warehouses in Hogsheads Casks or Cases to be exported on Account and for the Use of the Owner thereof after the same shall have been viewed Examined and weighed and found to be good shall be stamped as herein before directed and the said Inspector or Inspectors shall deliver to the Person bringing the same as many Receipts signed as aforesaid as shall be required for the Number of the Hogsheads so brought and stampd and for every Hogshhead Cask or Case brought to any of the said Warehouses on the Eastern Shore to be exported on Account and for the Use of the Owners thereof there shall be paid to the Inspector or Inspectors there attending twenty eight Pounds of Tobacco for viewing examining and stamping the same and the Owners of the said Tobacco shall find and provide Nails, for the Nailing thereof and for every Hogshhead Cask or Case brought to any of the said Warehouses on the Western Shore to be exported on Account and for the Use of the Owners thereof there shall be paid to the Inspector or Inspectors there attending twenty four Pounds of Tobacco for viewing examining and stamping the same and the Owners of the said Tobacco shall find and provide Nails for the nailing thereof

[Inspected
Hogsheads
to be
stamped.]

[Twenty-
eight Pounds
of Tobacco
to be al-
lowed on the
Eastern
Shore.]

[Twenty-
four on the
Western.]

And to the Intent that the just Quantity of Tobacco exported may be more exactly known and all evil Practices to defraud his Majesty of his Customs prevented Be it enacted that all and every Inspector or Inspectors shall carefully enter in a Book to be provided and kept for that Purpose the Marks Numbers Gross Nett Weight and Tare of all Tobacco viewed and stamped by him or them as aforesaid and in what Ship or Vessel the same shall be laden and shall also with every Sloop or Boat Load of Tobacco send a list of the Marks Numbers Gross Nett Weight and Tare of every Hogshhead of Tobacco then delivered to be given to the Master of the Ship or Vessel in which the same shall be put on Board And if the Tobacco delivered to the same Sloop or Boat is intended to be put on Board several Ships or Vessels then he or they shall deliver so many distinct and several Lists as aforesaid of the Hogsheads to be put on Board such Ship or Vessel respectively which List every Master of a Ship or Vessel is required to produce to and lodge with the Naval Officer of the District where the Ship or Vessel

[Frauds in
his Majes-
ty's Cus-
toms, how to
be pre-
vented.]

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whereof he is master shall ride or by whom he shall be cleared some Time before her Clearance. But whereas it may happen that the Ship in which such Tobacco was intended to be put may be so full as not to be capable of stowing all the Tobacco contained in such List or may by springing a Leak or other Accident be obliged to reland the same in such Cases it shall and may be lawful to ship the said Tobacco or any Part thereof on Board any other Ship or Ships where the Owner thereof shall think fit the Masters of such Ships indorsing on the said Lists the Marks and Numbers of the respective Hogsheads by them taken on Board and giving Notice to the Inspector or Inspectors of the Warehouse from whence the same was brought or if there be no Ship to receive the said Tobacco then it shall and may be lawful for the Master of the first mentioned Ship or Vessel to put the said Tobacco in the nearest Warehouse to the Place where such Ship shall ride giving immediate notice thereof to the Inspector or Inspectors who stamped the same And the Inspector or Inspectors of that Warehouse where such Tobacco shall be delivered shall receive from the Person or Persons relanding the same eight Pounds of Tobacco for every Hogshead so landed and shall give a Receipt for the same and shall cause the said Tobacco to be safely lodged and delivered to the Owner or Owners thereof whenever he she or they shall think fit to Ship it off and that without any other fee or Reward and one half of the said Eight Pounds of Tobacco so received shall be accounted for and paid by them to the Person or Persons entitled to receive the Rent of the said Warehouse and the Residue retained by him or themselves as a Satisfaction for his or their Extraordinary Trouble and Care therein

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[Size of
Tobacco
Hogsheads.]

And for restraining the undue Practise of mixing Trash with stemmed Tobacco and preventing the Packing Tobacco in unsizeable Casks. Be it enacted that all stemmed Tobacco not laid strait whether the same be packed Loose or in Bundles and all Tobacco packed in Hogsheads which exceed forty eight Inches in the Length of the Stave or seventy Inches in the whole Diameters within the Staves at the Crose and Bilge shall be accounted unlawful Tobacco and shall not be passed or received but the Owner of such Tobacco packed in Casks of greater Dimensions than before expressed shall be obliged to repack the same in Sizeable Casks at his own Cost and Charge before the same shall be stamped by the said Inspectors

[Punish-
ment for
forging
Notes or
Stamps]

And be it enacted that if any Person whatsoever shall forge or counterfeit the stamp Note or Receipt of any Inspector or Inspectors or alter the Quantity of Tobacco expressed in such Note or Receipt or shall exchange or pay or tender in Payment any such forged or counterfeited or altered Note or Receipt knowing the same to be forged Counterfeit or altered such Person so offending shall suffer Death as a Felon without Benefit of Clergy and if any Person shall export or Cause to be exported any Hogshead Cask Case Chest

Box or other Package of Tobacco stamped with a forged or Counterfeit Stamp or Demand Tobacco of any Inspector or Inspectors upon any such forged Counterfeit or altered Note or Receipt knowing such Note or Receipt or such Stamp to be forged Counterfeit or altered or shall put or pack into any Hogshead Cask or Case of Tobacco stamped by any Inspector any Tobacco whatsoever or shall draw or take out any Stave Plank or Heading Board of any Hogshead Cask or Case of Tobacco after such Hogshead Cask or Case of Tobacco shall be delivered out from any of the Public Warehouses aforesaid every Person so offending and being thereof Convicted by due Course of Law shall receive thirty nine Lashes on his or her bare Back and stand in the Pillory for the Space of two Hours And that in all such Cases the Testimony of the Inspector or Inspectors with other strong and corroborating Circumstances shall and may be admitted as Evidence

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And be it enacted that if any Inspector or Inspectors Notes or Receipts be casually lost mislaid or destroyed the Person or Persons entituled to receive the Tobacco by Virtue of any such note or Receipt shall make Oath or Affirmation if a Quaker before a Justice of the Peace of the County where the same is payable to the Number or Date of every such Note or Receipt to whom and where payable and for what Quantity of Tobacco the same was given and that such Note or Receipt is lost mislaid or destroyed and that he she or they at the Time such Note or Receipt was lost mislaid or destroyed was lawfully entituled to receive the Tobacco therein mentioned and shall take a Certificate thereof from such Justice and upon producing the Certificate to the Inspector or Inspectors who signed such Note or Receipt and lodging the same with them the said Inspector or Inspectors shall pay and deliver to the Person obtaining such Certificate the Tobacco for which such Notes or Receipts were given if the same or any Part thereof shall not have been before by him or them paid by Virtue of the said Notes or receipts and shall be thereby discharged from all Actions Suits and Demands on Account of such Notes or receipts And if any Person shall be convicted of making a false Oath or Affirmation or producing a forged Certificate in the Case aforesaid he shall forfeit and pay to the Party grieved two hundred and forty Pounds of Tobacco for every hundred Pounds of Tobacco contained in such Certificate and so in Proportion for a less Quantity and upon Conviction shall suffer as in Case of Wilful and Corrupt Perjury.

[Inspectors Notes or Receipts being lost, mislaid, or destroyed, in what Manner the Tobacco contained therein may be recovered.]

p. 220
[Penalty and Punishment in Case of false swearing and Forgery.]

And be it enacted that all Tobacco due or to grow due and payable for such Public and County Levies and Parochial Charges as aforesaid which shall not be discharged and paid in Gold and Silver as by this Act is directed shall be paid and discharged in the following Manner that is to say the Public and County Levies in any of the Warehouses within the County on which the same shall be levied

[Public and County Levies, and parochial charges where to be paid.]

Liber R. G. and the Parochial Charges aforesaid in some Warehouse within that
 1773 Parish if required And if there be any Parish without a Warehouse in such Case all the aforesaid Parochial Charges or such Part thereof as shall not be paid in Gold or Silver shall be paid by Inspector or Inspectors Notes at some Warehouse or Warehouses in the next adjacent Parish as the Case may require Provided always that no transfer Notes of the preceding Year shall pass in any Tobacco Payment.

[Notes of the preceding Year not to pass.]
 [Sheriff's commission.] And be it enacted that at the Time of laying any Public or County Levies there shall be levied for the Sheriff that is to Collect and pay the same Six Pounds of Tobacco p Cent and no more which the said Sheriff is hereby impowered to retain.

[Tobacco refused by the Inspectors to be burnt, unless the Owner desires to sort or pick it.] And be it Enacted that when any Tobacco shall be brought to any of the Public Warehouses and refused by the Inspector or Inspectors there officiating the same shall be immediately burnt by them unless the Owner or Person bringing such Tobacco desires to sort and separate the same and to pick out such As is bad in which Case the Inspector or Inspectors shall permit the same to be done at the Warehouse to which the said Tobacco shall be brought without Fee or Reward but shall not on any Pretence suffer the said Tobacco to be removed or carried from the said Warehouse and the said Inspector or Inspectors shall allow one Month for Seperating or picking such Tobacco after which Time if the same be not done it shall be lawful for him or them to burn the whole except where the Tobacco is in a Sweat or where the Circumstances or Accidents of Weather may have prevented the Handling of it in which Case the Inspector or Inspectors shall allow such further Time as he or they shall think reasonable and where any Tobacco shall be seperated and picked as aforesaid the Trash and bad Tobacco shall be burnt by the Inspector or Inspectors the same Day it shall be picked out under the Penalty of fifty six Pounds of Tobacco for every Failure to the Informer And if any Tobacco packed in Cask by an Overseer or the Hands under his Care shall be burnt by the said Inspector or Inspectors by Reason of its being bad unsound or not in good Condition the Overseer who had the Care of making and packing the same shall bear the Loss of the Tobacco so burnt and make Satisfaction for the same out of his Share of the Crop or otherwise and the Inspector or Inspectors shall be obliged to keep an Account of all Tobacco so burnt

[The whole to be burnt, if not sorted in one month, except where it may be necessary to allow a longer Time.]

[Overseers to make good all burnt Tobacco of their own making and packing.]

[What is to be done by the Owner of Tobacco, when refused to be passed by the Inspectors.]

And when any prized Tobacco shall be brought to any Public Warehouse in Order to be shipped on Freight and the Inspector or Inspectors there attending shall refuse to pass such Tobacco unless such as shall be bad and unmerchantable be picked and separated from the Rest in such Case the said Inspector or Inspectors shall permit the owner or other Person bringing such Tobacco to make

Use of one or more of their Prizes for the repacking and Prizing such Tobacco, And if there shall be several Hogsheads of Tobacco belonging to several Owners to be picked repacked and prized at any Public Warehouse the Owner or other Person bringing the same whose Tobacco shall be first viewed and refused shall be first permitted and allowed to make Use of such Prize or Prizes and the same Rule shall be observed in the Prizing all Tobacco which shall be picked repacked and prized as aforesaid And for all Tobacco repacked and prized by the Owner thereof or his Servants and Slaves there shall be paid to the Inspectors thereof only twenty eight Pounds of Tobacco on the Eastern Shore and twenty four Pounds of Tobacco on the Western Shore for stamping and for all Tobacco repacked and prized by the Inspectors fifty six Pounds of Tobacco for each Hogshead and also four Pounds of Tobacco for Nails unless the Proprietor shall provide Nails And no Inspector shall take or Convert to his own Use or otherwise dispose of any Draughts or Samples of Freight or Crop Tobacco but the same if fit to pass shall be Carefully put into the Hogshead out of which it was drawn under the Penalty of forfeiting One hundred and sixty Pounds of Tobacco for every Draught so taken away And all and every Inspector or Inspectors if required shall alter the Mark of any Hogshead of Tobacco for which they have before given a Receipt and for preventing Confusion and Mistakes shall keep a Waste Book in which shall be Entered the Marks and numbers of all Hogsheads of Tobacco received by them and also the Marks and Numbers thereof when the same shall be delivered out by them And all Inspectors when required shall be obliged to prize any Hogshead of Crop Tobacco under nine hundred and fifty Pounds Nett Weight so as to make it up that Weight but shall receive the same fee upon such Hogshead as for transfer Tobacco and may make the Lawful Abatements for the Tobacco Prized in And where any Tobacco shall be brought to any Warehouse by the Overseer of the Owner thereof the Inspector or Inspectors shall give Notes and Receipts in the Name of the Owner which Notes and Receipts shall be delivered to the Owner or to his Order

And be it further enacted that any light Hogshead or Parcel of Tobacco after the same shall be passed at any Public Warehouse and not Stamped shall and may be delivered out by the Inspector or Inspectors to the Owner of their notes and such Tobacco may be Carried away for the better sorting and Stemming the same Provided the Person receiving such Tobacco shall pay for the Inspection thereof after the Rate of fifty six Pounds of Tobacco for every nine hundred and fifty Pounds Weight and so in Proportion for a greater or less Quantity and that such Tobacco shall not be shipped off until it shall be again inspected passed and stamped for which the Inspector or Inspectors shall again receive the established fees under

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[Tobacco first brought to be first sorted.]

[Twenty-eight Pounds of Tobacco on the *Eastern* and 24 on the *Western* Shore to be paid the Inspectors.]
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[Samples, if good, to be replaced.]

[Inspectors to keep Books of Marks and Numbers.]

[Notes to be given in the Name of the Owner.]

[Light Hogsheads of Tobacco, not stamped may be delivered by Inspectors to the owners of their Notes, but not shipped.]

Liber R. G. 1773 the same Penalties as are herein before inflicted for shipping off and taking on Board any Ship or other Vessel Tobacco not inspected viewed and stamped according to the Directions of this Act

[Inspectors to nail up the Tobacco as soon as inspected.] And be it enacted that the several Inspectors shall be and are hereby obliged whenever they shall have inspected a Hogshead or Hogsheads of Tobacco to Case and nail up the same in good Order and according to the true Intent and Meaning of this Act immediately after inspecting the same

[Transfer Tobacco, not received and marked, to be sold annually by Auction.] And be it enacted that the Owner of any Transfer notes may at any Time receive and mark Hogsheads of Tobacco for satisfying such Notes and the Inspector or Inspectors shall take in his or their former Notes and deliver Crop Notes and Receipts for such Hogsheads and shall be answerable for the safe keeping thereof in the same Manner as they are for Crop Tobacco but the Persons receiving such Hogsheads shall pay to the Inspector Sixty Pounds of Tobacco for the Inspection and Nails for every Hogshead that is to say thirty two Pounds of Tobacco upon the Eastern Shore and thirty six Pounds of Tobacco upon the Western Shore at the Time of taking such Crop Notes or Receipts and twenty eight Pounds of Tobacco on the Eastern shore and twenty four Pounds of Tobacco on the Western Shore when the Tobacco shall be delivered out And the Inspectors shall sell all Transfer Tobacco which shall not be so received and marked on the second Day of Holding the Court if fair Weather if not on the next fair Day of the Court of their Respective Counties in the Month of November Yearly by Public Auction in single Hogsheads and not otherwise and shall pay the Money arising by such Sale at the Average Price of the Sale of the Tobacco belonging to each House in Satisfaction of their Notes from Time to Time to the Proprietors thereof making their Demand under the same Penalty as is inflicted for not paying Inspectors Notes

[How to prevent Fraud in selling only part of the Transfer Tobacco.] p. 222 And for preventing Fraud by selling only Part of such Tobacco not received as aforesaid Be it enacted that all Inspectors shall in ten Days before November Court in each respective County yearly Lodge with the Respective County Clerks where they shall Officiate an Account upon Oath of all the Transfer Tobacco at that Time in their hands before the same shall be exposed to Sale and all Inspectors shall keep a just and true Account of the Tobacco gained or saved upon the Allowances made for Cask or Shrinkage of transfer Tobacco and if any Tobacco shall be so gained or saved shall exhibit an Account thereof upon Oath (or Affirmation if a Quaker) in the same manner as is before directed concerning transfer Tobacco not received and shall also sell the Tobacco so gained and saved in the same Manner as is before directed for the Sale of transfer Tobacco and shall account for the Money arising by such Sale to the Justices aforesaid and no Inspector shall Convert any Tobacco so gained or

saved to his own Use either by the Allowances for Shrinkage or four Pounds of Tobacco p.^r Centum for Cask or otherwise howsoever

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And for preventing the Clandestine Transportation of bad and unmerchantable Tobacco from this Province into the Colony of Virginia or the Province of Pennsylvania or the three Lower Counties on Delaware called New Castle Kent and Sussex or the reputed Limits of the said Province or Counties as now settled by Inhabitants or to any other Parts or Places whatsoever out of this Province and also for the better preventing the Exportation of Tobacco in Bulk or Parcels Be it enacted that no Tobacco whatsoever of the Growth of this Province shall during the Continuance of this Act be transported or Carried either into the said Colony of Virginia or province of Pennsylvania or the three Lower Counties upon Delaware Called New Castle Kent and Sussex or the reputed Limits of the said Province or Counties as now settled by Inhabitants or to any other Ports or Places whatsoever out of this Province either by Land or Water untill the same hath been first viewed examined and stamped at one or other of the Warehouses appointed or to be appointed in Pursuance of this Act nor until due Entry thereof shall be made with the Officers of the Customs in the District wherein the Owner of the said Tobacco shall reside and a permit obtained from them for that Purpose And if any Person or Persons shall presume to Carry or transport or Cause to be carried or transported any Tobacco not inspected and stamped or without having obtained such Permit as aforesaid to the said Colony of Virginia or the Province of Pennsylvania or the three Lower Counties upon Delaware called New Castle Kent and Sussex or the reputed Limits of the said Province or Counties as now settled by Inhabitants or to any other Ports or Places whatsoever out of this Province he or they so offending shall forfeit and pay eight hundred Pounds of Tobacco for every Hogshead Cask or Case of Tobacco and one hundred and sixty Pounds of Tobacco for every hundred Pounds of Tobacco in Bulk or Parcel so transported or Carried out contrary to the Direction of this Act

[Trash Tobacco not to be transported out of the Province by Land or Water.]

[Penalty]

And be it enacted that all Sheriffs under Sheriffs and Constables shall at their March Court annually to be held for their respective Counties take an Oath that if they shall at any Time know or be credibly informed or have good Reason to suspect that any Tobacco is in Bulk or packed in any Cask or other Package with Design to be or is actually put on Board any Vessel in Order to be shipped off without being inspected or that any Tobacco is Carrying or Carried out of this Province either by Land or Water into the Colony of Virginia or the Province of Pennsylvania or the three Lower Counties on Delaware Called New Castle Kent and Sussex or the reputed Limits of the said Province or Counties as now settled by Inhabitants or to any other Ports or Places whatsoever out of this

[Oath to be taken by Sheriffs, Constables and Inspectors.]

Liber R. G. Province without a Permit for so doing they will forthwith make
 1773 Information and a particular Discovery thereof to the next Justice
 of the Peace of the County where such Tobacco shall be And all
 p. 223 Sheriffs and Under Sheriffs respectively who shall after the first
 day of January next be appointed or sworn into the said Offices
 shall at the Time of their being sworn take the same Oath and
 [Penalty.] obtain a Certificate thereof and every such Officer failing so to do
 shall forfeit two thousand Pounds of Tobacco and every Inspector
 shall take the same Oath or Affirmation if a Quaker before some
 Magistrate of the County where he resides before he enters on the
 Execution of his Office under the like Penalty

[Justices to
 issue War-
 rants for
 searching
 suspected
 Vessels.] And be it further enacted that any Justice of the Peace of any
 County near the Place where any Ship or other Vessel shall ride
 upon Application to him made by any Person suspecting any Tobacco
 to be laden on Board such Ship or other Vessel contrary to the
 Direction of this Act such Justice shall and he is hereby impowered
 and required to Issue his Warrant directed to the Sheriff or any
 Constable of his County and the Sheriff or Constable shall have
 full Power and Authority and he is hereby required to enter and
 go on Board such Ship or other Vessel to search for and seize such
 Tobacco and the same being seized shall be brought on Shore and
 Carried before the same or any other Justice who shall Cause the
 same to be immediately weighed and if Trashy or bad immediately
 burnt if good Carried to the Inspecting House there to be inspected
 and sold for the Use of the County and if any Master or Skipper
 of any Ship or Vessel or any other Person whatsoever shall resist
 the Officer in the Execution of any such Warrant every Master or
 Skipper so offending shall forfeit and pay eight thousand Pound
 of Tobacco and every other Person so offending shall forfeit and
 pay three thousand two hundred Pounds of Tobacco

[County
 Clerks duty
 in assisting
 Magis-
 trates.] And be it enacted that the Clerk of each County within this Pro-
 vince shall provide a well bound or stiched Book and record therein
 all the Proceedings of the Justices relating to this Act And that it
 be the Duty of the Clerk of the County Court for the Time being
 to attend that on all Occasions relating to this Act in their respective
 Courts and at their Meetings at the Court House and that he be quali-
 fied by Oath before some Magistrate to keep fair and just Entrys of
 the Proceedings of the said Justices and do all other necessary Ser-
 vices in Relation to this Act that shall be required by him by the
 Justices aforesaid for all which Services he shall annually be allowed
 out of the Profits arising by Virtue of this Act a Sum not exceeding
 twelve hundred Pounds of Tobacco.

[Their
 salary.] and for the better detecting of Inspectors who shall not do their
 Duty be it enacted that the Justices of the County Court shall hear
 and determine all Complaints against them and if they shall find
 them deficient in their Duty they shall remove any such Inspector

[Inspectors
 not doing
 their Duty,
 how to be
 punished.]

or Inspectors and their Proceedings shall be in a summary Way and if they adjudge any Inspector or Inspectors to be removed the said Justices in such Case shall with all Convenient Speed notify the same to the Governor or Commander in Chief for the Time being Provided always that the Inspector or Inspectors to be Complained against be summoned to appear and make his or their Defence but in Case he or they will not appear his Non Appearance shall be taken for a Confession without some reasonable Excuse be given for the same.

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And be it further enacted that it shall not be lawful for any Inspector or Inspectors to inspect or pass any Hogshead or Parcel of Tobacco at any Time between the twentieth day of August and the first day of November yearly unless such Hogshead or Parcel of Tobacco be brought to and left at the said Inspection House on or before the said twentieth Day of August Yearly And that if any Inspector or Inspectors shall presume to inspect or pass any Hogshead or Parcel of Tobacco between the said twentieth day of August and the first Day of November yearly (except as aforesaid) he or they so offending shall forfeit and pay one hundred and sixty Pounds of Tobacco for every Hundred Pounds of Tobacco so by him or them inspected

[Inspectors not to pass any Tobacco between the 20th of August and 1st of November, except brought before the 20th of August. Penalty.]

And be it further enacted that the Sum of three hundred and twenty Pounds of Tobacco per Annum for each Inspection respectively for Printing and Delivering a sufficient Number of Books Notes and Manifests for the Inspectors of each Inspection within their Counties shall be allowed by the several and Respective County Courts at the Laying of their County Levy to the Printer who shall print and deliver the same

[Allowance to the Printer for Books and Notes.]

And be it enacted that in all Payments which shall or may be made under or by Direction of this Act and also in Payment of all Charges attending the Inspection or Delivery out of Tobacco for all Penalties and Allowances mentioned in this Act And for all Penalties and Forfeitures imposed in Tobacco by any former Laws of this Province a Deduction of one fifth Part of such last mentioned Penalties and Forfeitures being first made the following Species of Gold and Silver Coin if offered or tendered shall be accepted and received at the following Rates Regulations and Values Viz.^t Johannes's weighing 18 dw.^t at 960^{lb} Tobacco Half Johannes's weighing 9 dw.^t at 400.^{lb} Tobacco Moidores weighing 6 dw.^t 18 grs at 360^{lb} Tobacco English Guineas weighing 5 dw.^t 6 grs at 280^{lb} Tobacco French Guineas weighing 5 dw.^t 5 Grs at 276^{lb} Tobacco; Spanish Pistoles not lighter than 4 dw.^t 6 grs at 220^{lb} Tobacco French Milled Pistoles weighing 4 dw.^t 4 grs @ 216^{lb} Tobacco Arabian Chequins weighing 2 dw.^t 3 Grs at 110^{lb} Tobacco English Milled Crowns at 66³/₄^{lb} Tobacco Other English Milled Silver at same Rate. Other Gold Coin (German excepted) by the Penny

[Payments may be made in Gold and Silver.]
p. 224

[The Rates at which they pass.]

Liber R. G. Weight at 51 $\frac{1}{2}$ lb Tobacco. French Silver Crowns at 60^{lb} Tobacco
 1773 Spanish Milled Peices of Eight at 60^{lb} Tobacco. Other good Coined
 Spanish Silver per Ounce at 68^{lb} Tobacco.

[Public and County Levies, and Parochial Charges, when to be paid.] And be it enacted that it shall and may be lawful for any Person chargeable with such Public and County Levies and Parochial Charges as aforesaid to pay the same on or before the tenth day of June in every Year either in Tobacco by Inspector or Inspectors Notes or in Money in Gold and Silver at the Rates herein mentioned after which Time every Person shall be obliged to pay the same in Gold and Silver at the Rates aforesaid And if any Person chargeable with such Public or County Levies or Parochial Charges as aforesaid shall neglect or refuse to pay the same within the Time aforesaid it shall and may be lawful for the Sheriffs immediately after the tenth Day of August yearly to destrain the Goods and Chattels of the Person or Persons so neglecting or refusing and to sell and dispose thereof at the Expiration of five Days after Distress made for Gold and Silver at the rates mentioned in this Act or Current Money as the Case may require at Public Auction all which shall be done by the said Sheriff without Fee or Reward And the Overplus if any beyond what will satisfie the Demand aforesaid shall be returned to the Debtor

[Sheriffs may destrain in case of Neglect.]

[Proviso.] Provided always that when any Person who shall be indebted for such Levies or Charges shall refuse to pay Money as aforesaid or shall refuse to shew to the Sheriff any Goods or Chattels to be destrained that then and in such Case it shall and may be lawful for the Sheriff to take such Person in Execution for the Money so due as aforesaid and the Sheriff shall and he is hereby directed and required before the last Day of June yearly to pay to each Creditor according to their respective Debts or Claims all the Tobacco he shall have received in Satisfaction thereof before the tenth Day of June and shall also before the last Day of August yearly pay and deliver to each Creditor according to their respective Claims the Ballance due in Money to such Creditor and if any Sheriff shall not make Payment according to the Directions of this Act such Sheriff shall forfeit and pay to the Party grieved if he sues the Sheriff only double the Tobacco or Money to be recovered with Costs by Action of Debt or Action on the Case founded on this Act in which it shall be sufficient for the Plaintiff to alledge that the Defendant is indebted to the Plaintiff (or received to the Plaintiff's Use) the Sums of Money or Tobacco claimed by him whereby the Plaintiffs Action accrued to him according to the form of this Act without setting forth the special Matter but if the Party sues on the Sheriff's Bond he shall recover only his Debt Interest and Cost

[Persons not to make Sale of trashy Tobacco, &c.]

And to prevent any Person or Persons whatsoever from making Sale of Trashy and unmerchantable Tobacco Be it enacted that it

shall not be Lawful for any Person or Persons on any Pretence whatsoever to buy barter purchase or take into his her or their Possession or to sell or offer to sale either directly or indirectly any Trashy or unmerchantable Tobacco either loose or in hands in Bundle Bulk Parcel Case Hogshead or other Package whatsoever except such Tobacco as hath been heretofore lodged in any Inspection House in Pursuance of any former Law under the Penalty of four Pounds of Tobacco for every Pound of Tobacco so bought bartered purchased taken into his or their Possession or sold or offered to Sale as aforesaid

Liber R. G.
1773

p. 225

And for the further Discovering and punishing so pernicious a Practice Be it enacted that if either Party offending as aforesaid shall make Information against the other Party or Parties so as aforesaid offending and shall prosecute such other Party or Parties so that he she or they be of the Offences aforesaid or either of them Lawfully convict to which Purpose any or either of the Parties aforesaid are hereby enacted and declared to be good and sufficient Evidence such Person so as aforesaid informing and prosecuting shall be indemnified and saved harmless from any Prosecution for the said Offence

[One party informing against the others, to be indemnified.]

And be it enacted that as often as any Magistrate shall be informed by any Credible Person on Oath or Affirmation if a Quaker that he suspects and verily beleives any Trashy or unmerchantable Tobacco is in any particular Tobacco House Barn or other Out House Ship or other Vessel Inclosure or other Place whatsoever it shall and may be lawful for such Magistrate and he is hereby authorized and required immediately upon such Information either to raise and Compel Assistance and to proceed himself or by Warrant under his hand and Seal directed to such Informer or others thereby authorizing and directing him or them to Compel Assistance and to proceed forthwith to such or any other suspected Place as aforesaid and there quietly enter it (except such House or Place be on the Plantation where such Trashy or unmerchantable Tobacco shall appear by the Oath or Affirmation if a Quaker of the Owner or of any other Credible Person to have been made or on some other Plantation belonging to such Person who made such Tobacco and also except in inspecting Houses and other Houses used by Inspectors for the convenient Carrying on and execution of this Act) And if the Person having the Care of such Place be present and will immediately permit such Entry or if the Party having the Care of such Place be not then present or being present will not permit such Entry then to enter forcibly into such or any other suspected Place and there to search for any such Tobacco as aforesaid and the same being found to take and carry away and also all other Trashy or unmerchantable Tobacco as shall be then there found to the next Inspecting House by such Officer or Officers aforesaid

[Magistrates may enter any suspected Place, quietly, if permitted by the Owner, or forcible, if refused, to search for unmerchantable Tobacco, and carry it to the next Inspection House.]

Liber R. G. and in Case neither of the Inspectors attending that House shall
 1773 happen to be present then the said Magistrate or Warrant Officer or
 Officers or one of them shall be and he or they are hereby authorized
 and required to summon one or both of the said Inspectors im-
 mediately to attend at such Warehouse and it is hereby declared to
 be the Duty of such Inspectors or Inspector immediately to attend
 upon such Summons accordingly and such Inspectors or Inspector
 so attending shall search view and examine such Tobacco and if
 upon such View Search and Examination the said Tobacco or any
 considerable Proportion thereof shall appear to him or them to be
 such as he or they are by this Act required and obliged as Inspectors
 to pass that then the same or such Part thereof shall be by him or
 them in all Respects treated dealt with and managed as other Tobacco
 by them passed is by this Act directed the Party owning or Claiming
 such Tobacco paying or allowing to the Warrant Officer or Officers
 after the rate of Eight Pounds of Tobacco for every hundred Pounds
 of such Tobacco as shall as aforesaid pass Inspection for Carrying
 the same to such Inspecting House which Rate or Proportion the
 Inspectors are hereby authorized and required to demand and receive
 of the Person who Claims such Tobacco before they permit the same
 to be taken out of the Inspecting House and which Rate or Pro-
 portion after the Receipt thereof as aforesaid shall be by the said
 Inspectors paid to such Warrant Officer or Officers or his or their
 Order upon Demand and in Case such Tobacco or any Part thereof
 as aforesaid shall not upon such View and Examination as aforesaid
 by such Inspector or Inspectors be passed then such Tobacco or
 such Part thereof as shall not pass Inspection as aforesaid shall by
 such Inspectors or Inspector after being by him or them weighed be
 immediately burnt and the said Warrant Officer or Officers shall
 have and receive as a Reward for his or their Diligence in the
 Execution of this present Act after the Rate of Eight Pounds of To-
 bacco for every hundred Pounds of Tobacco which shall be so taken
 and burnt as aforesaid to be recovered either from the Person Owner
 of the said House Vessel or other Place knowing the said Tobacco
 to have been there or from the Person owning such Tobacco at the
 Time of such Seizure before a single Magistrate out of Court with
 full Costs and to be levied by Way of Execution against the Person
 Goods or Chattels of the Party so offending

[Inspectors
 to examine
 such To-
 bacco, and
 if found
 good to
 pass it, if not
 to burn it.]
 p. 226

[Unmer-
 chantable
 Tobacco dis-
 covered un-
 der Car-
 riage to be
 seized, and
 carried to
 the next
 Inspection
 House.]

And be it Enacted that where any Person or Persons whatsoever
 shall discover under Carriage any Trashy or unmerchantable Tobacco
 he or they so discovering shall be and they are hereby authorized
 and required to stop and seize such Trashy or unmerchantable To-
 bacco and the same shall Convey or shall direct and require the
 Party or Parties so carrying the same as aforesaid to Carry such
 Tobacco to the next or any other Convenient Inspecting House and
 that such Party or Parties refusing to Carry the same shall forfeit

and pay after the rate of four hundred Pounds of Tobacco for every hundred Weight of such Tobacco upon every such Refusal to be recovered as the Case may require before a single Magistrate or in the County Court by Action of Debt or Indictment the one half to him or them that shall sue or inform concerning the same and the other half to the Use of the County where such Offence shall be Committed to be applied towards defraying the Charge of Inspection as aforesaid and in Case neither of the Inspectors attending that House shall happen to be present then the said Person stopping and seizing the said Tobacco is hereby directed to summon one or both of the Inspectors immediately to attend at such Warehouse to receive and secure the same and the Inspector or Inspectors so attending shall search View and examine the same and proceed in such Case in like Manner as he or they are directed with Regard to Trashy or unmerchantable Tobacco which shall be found in any Tobacco House Store House Warehouse Barn or other Outhouse Ship or other Vessel Inclosure or other Place whatsoever not burthening the Party who Carries the same or the Owner thereof with any Charge for Carriage and then after such Inspection made as aforesaid the Person or Persons so stopping and seizing such Tobacco shall immediately repair to some Magistrate and inform him that he hath seised and secured such Tobacco in Manner aforesaid and the Magistrate shall and he is hereby authorized and required to proceed therein with respect to the fining or binding over (as the Case shall require) such Offender or Offenders and he she or they so offending shall be Liable to the same Penalties and be under the same Mode of Prosecution for the recovery thereof as is before directed by this Act

Liber R. G.
1773
[Penalty on
Refusal].

p. 227

Provided always that in all Cases where any such Tobacco under Carriage shall be seized and carried to any Inspection House as aforesaid if the Person or Persons carrying or Claiming the same shall prove by his her or their own Oath or Affirmation if a Quaker or the Oath or Oaths or Affirmation if a Quaker of any other credible Person which Oath or Affirmation any Magistrate is hereby authorized and required to administer that such Tobacco so taken under Carriage was at such Time carrying to be inspected at some Inspecting House agreeable to the Directions of this Act such Proof shall exempt the Person Carrying or Owner or Claimer of such Tobacco from the Penalties other than the Loss and Burning of such Trashy Tobacco

[Proviso.]

And be it enacted that if any Person or Persons shall remove any Tobacco which shall be stopped or seized as aforesaid other than such Person or Persons who shall so seize the same or some other by his or their Order or who shall rescue or attempt to rescue any Tobacco which shall be so stopped and seized as aforesaid such Person or Persons so offending shall forfeit and pay two thousand

[Penalty on
Persons res-
cuing, &c.
seized
Tobacco]

Liber R. G. four hundred Pounds of Tobacco for every Hogshead or Parcel
 1773 of Tobacco so removed rescued or attempted to be rescued as
 aforesaid

[Suits to be commenced within Six Months.] And be it enacted that if any Suit or Action shall be Commenced against any Person for what he shall do in Pursuance of this Act such Action shall be Commenced within six Months after the Fact Committed and not afterwards and the Person so sued may file Common Bail or enter a Common Appearance and plead the General Issue and may give this Act and the Special Matter in Evidence and if the Plaintiff or Prosecutor shall be Non Suit or discontinue his Suit or if a Verdict be had against him or if upon Demurrer Judgment be given against him the Defendant shall recover Treble Costs

[Masters of Vessels not to remove Tobacco from any Warehouse without sufficient Covering.] And be it enacted that no Master or Commander of any Ship or other Vessel taking Tobacco on Freight shall remove or transport any Freight Tobacco from any Warehouse in Order to be put on Board his Ship or Vessel in any open Boat or undecked Vessel or on the Deck of any Vessel without such good and sufficient Covering as will secure such Tobacco against Rain under Penalty of three thousand Pounds of Tobacco for every offence

p. 228 And be it enacted that if any Master of a Ship or other Vessel within this Province after the first Day of January next shall receive any Hogshead or Hogsheads of Tobacco on Board his said Ship or Vessel on Freight and shall either by himself or any other Officer or Person on Board his said Ship or Vessel under his Command Cut or suffer any Hogshead or Hogsheads of Tobacco to be

[Nor suffer any Hogshead of Tobacco to be cut, &c.] cut Cropped or lessened in their Length or Breadth or by any other Ways or means abused defaced or impaired to be proved by the Oath of any sufficient Person to whom the Tobacco is consigned in great Britain or other sufficient Witness taken before any Magistrate and a Certificate thereof made by any Notary Public and sent hither under his hand and Seal or by any other Legal Proof whatsoever shall forfeit and pay the Sum of three thousand Pounds of Tobacco to be recovered and applied as hereafter directed

[Vessels to be searched.] And be it enacted that it shall and may be lawful for any Person having Tobacco on Board any Ship or other Vessel or any Collector Naval Officer or Searcher to go on Board such Ship or other Vessel in the Day Time during her Loading to search and discover whether any Breach has been made of this Act and if any Master Mariner or other Person shall hinder or oppose such Search such Person shall for every such Offence forfeit and pay the Sum of Three thousand Pounds of Tobacco to be recovered and applied as by this Act directed

[Penalty on Persons opposing.] [Justices and Inspectors to meet yearly, to determine what Repairs, &c. are wanting in Warehouses, &c.] And be it enacted that the Justices and Inspectors of each Respective County shall meet at the Court House of their respective Counties on the Monday after the first Meeting of every November Court Yearly if fair Weather (if not on the next fair Day) under

the Penalty of eight hundred Pounds of Tobacco each at which Meeting it shall be determined by a Majority of the Justices then present upon the best Information they Can get what Buildings Additions or Repairs Wharfs Cranes or other Conveniences required by this Act are wanting at each respective Warehouse And the said Justices shall appoint two Justices most convenient to each Warehouse not being Proprietor or Proprietors of such Warehouse to agree and Contract for such Buildings Additions repairs Wharfs Cranes and other Conveniences as shall be determined to be wanting as aforesaid and the said two Justices shall within five Days after such Appointment give Notice to the Proprietor or Proprietors of each Warehouse concerning which they are appointed to contract or his or their Agent to meet them at some convenient Place by them in such Notice to be appointed at a Time not exceeding ten Days from the Date of such Notice at which Meeting the said two Justices shall inform the said Proprietor or Proprietors or his or their Agent what is required of him or them according to the Determination of the Justices aforesaid and if the said Proprietor or Proprietors will not immediately enter into Bond to the Lord Proprietor in such Penalty as the said Justices shall think proper not exceeding sixty thousand Pounds of Tobacco to do what is required as aforesaid by the last Day of April next ensuing the Date of such Bond at farthest or if after such Bond given such Proprietor or Proprietors shall not compleat every thing therein specified according to the Tenor thereof in either Case the Justices shall forthwith agree with some other Person or Persons for doing what is determined aforesaid to be necessary or may be unfinished as aforesaid and shall take a Bond for Performance of such their Agreement and in Case one of the two Justices aforesaid should die or be removed the other shall have as full Power to act as if such Death or removal had not happened

Liber R. G.
1773

And be it enacted that all Bonds taken by the Justices in Pursuance of this Act shall by them be lodged with the Clerk of the respective Counties to be by him safely kept within twenty Days after the Taking thereof

p. 229
[Bonds
taken by
Justices to
be lodged
with the
County
Clerks.]

And be it enacted that if any Justice of the Peace shall omit or neglect the Duty enjoined and required of him as to the making the Contracts or taking and lodging the Bonds aforesaid he shall forfeit and pay the Sum of eight hundred Pounds of Tobacco

[Penalty in
case of
Neglect.]

And be it enacted that whatever Sum or Sums the Justices aforesaid may contract for as aforesaid shall be assessed and allowed in the next County Levy after the Performance of such Contract and shall be deducted out of the Tobacco and money arising due for the rent of the House for which such Sum or Sums were paid until the County shall be reimbursed

[Sums con-
tracted for
to be al-
lowed in the
next County
Levy.]

And be it further enacted that the Justices of each respective

Liber R. G. 1773 County shall and are hereby directed to have a full subsisting and Continuing Power at all Times of the Year to put in Execution so much of this Act as relates to building enlarging and repairing Public Warehouses and to direct the building enlarging and repairing any Warehouses for the respective Inspections appointed by this Act and any Wharfs Prizes Cranes and other Conveniences from Time to Time as to them shall seem necessary and expedient and in Case the Proprietor or Guardian Husband or Attorney of the Proprietor of any Warehouse or any other Person concerned therein shall refuse or neglect to make such Buildings Additions Repairs or other necessary Conveniences as shall or may be wanting at any other Times of the Year and such as the said Justices shall direct it shall and may be lawful for the said Justices and they are hereby required to have the same done at the Expence of the County and the Justices of such County shall receive so much of the rent of the said Warehouse of the Inspectors which they are hereby obliged and directed to pay as will reimburse the County the Charges of such Buildings Additions and repairs And if upon Application of the Inspectors to the Justices aforesaid for Building Enlarging or repairing any Warehouses Wharfs Prizes Cranes and other Conveniences such Justices shall refuse or delay to do their Duty therein every Justice so neglecting or refusing shall forfeit Eight Hundred Pounds of Tobacco

[Justices to direct the building, &c. of Warehouses.]
[Proprietors of Warehouses neglecting to make Repairs, Justices to have them done at the Expence of the County.]

And be it enacted that in all Cases under the late Inspection Law where the Owners or Proprietors of Warehouses have given the same up to be repaired or rebuilt at the Expence of the County and the rents already received have not reimbursed the Moneys advanced in rebuilding or repairing such Warehouses it shall and may be lawful for the Justices of said County's and they are hereby authorized and required to receive the Rents of all such Warehouses from the Inspector or Inspectors under the present Act until the whole Money advanced as aforesaid shall be repaid anything herein Contained to the contrary notwithstanding

[Justices to receive the Rents till the Money advanced be repaid.]

p. 230
[New chosen Inspectors to make out Lists of all Hogsheads of Tobacco, with the Marks, &c. and give a Receipt therefor to the old Inspectors.]

And be it Enacted that when and as often as a new Inspector or Inspectors shall be elected and chosen in the room and Stead of the Inspector or Inspectors who served at the same Warehouse the preceding Year that the said new Inspector or Inspectors shall within ten Days after he or they shall be qualified to serve as an Inspector or Inspectors according to the Directions in this Act make out two Lists of all Hogsheads of Tobacco then in the same Warehouse being (which Tobacco the old Inspector or Inspectors are hereby obliged and directed to deliver) well nailed lined and fit for shipping to the new Inspector or Inspectors describing the Marks Numbers Gross Tare and Nett Weight stamped and marked thereon who shall sign a Receipt at the Foot of each List of such Hogsheads received from the old Inspector or Inspectors which Lists so as aforesaid given

with the receipts thereto signed shall be delivered to the old Inspector or Inspectors the one of which Lists shall be by him or them lodged with the Clerk of the County to be by him kept in his Office under the Penalty of Eight thousand Pounds of Tobacco on each Inspector neglecting to make such Lists and the same Penalty on the old Inspector or Inspectors who shall neglect to lodge the same with the County Clerk and the new Inspector or Inspectors is and are hereby declared to be answerable to the Owners of any Notes mentioned and described in such Lists so far as to produce the same Hogshead or Hogsheads of Tobacco belonging to any Owner and likewise that the said new Inspector or Inspectors shall be liable for and answerable to the old Inspector or Inspectors for all Damage that shall happen to such Tobacco mentioned in the Lists aforesaid through his or their Negligence during the Time of his or their serving as Inspector or Inspectors

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and to the End that Inspectors may be more careful of the Fire they may have Occasion for at the Warehouses to brand the Tobacco Be it enacted that if any Warehouse within this Province shall be hereafter burnt and it can be made appear to have happened by the Negligence of the Inspector or Inspectors belonging to such Warehouse such Inspector or Inspectors shall forfeit and pay sixteen thousand Pounds of Tobacco each

[Penalty on Inspectors in case of Warehouses being burnt thro' their Negligence.]

And be it enacted that every Justice who shall meet at their respective Court Houses and every Justice who shall be appointed and attend in Order to agree as aforesaid shall be allowed the Sum of sixty four Pounds of Tobacco for every Day he shall necessarily attend in Consequence of such Appointments in the next County Levy and every Inspector who shall meet and attend the Justices aforesaid at the Court House shall be allowed sixty four Pounds of Tobacco per Day in the next County Levy for his Attendance

[Allowance to the Justices and Inspectors for their Attendance, &c.]

And be it Enacted that the Vestrymen and Church Wardens of Queen Caroline Parish in Ann Arundel County have full Power and Authority to elect and recommend four Inspectors for a Warehouse appointed to be at Elk Ridge Landing situate and being in Saint Margarets Westminster Parish and to proceed as if the said Warehouse had by this Act been appointed to be in Queen Caroline Parish and that the Vestrymen and Churchwardens of Saint Margarets Westminster Parish no way intermeddle with the Election or Recommendation of Inspectors for the said Warehouse to be at Elk Ridge Landing and the said Inspection be under the same Regulation as if the Inspectors has been nominated and recommended by the Vestrymen and Church Wardens of Saint Margarets Westminster Parish any thing in this Act contained to the Contrary notwithstanding

[Vestrymen of Queen Caroline Parish to Choose Inspectors for Elk-Ridge Landing Warehouse.]

And be it enacted that if any Person or Persons shall bring any Hogshead or Number of Hogsheads of Tobacco to any of the

p. 231

Liber R. G. Warehouses appointed herein to receive the same and shall offer
 1773 them or any of them to the Inspector to be by him received and
 inspected and the said Inspector shall refuse to pass them or any of
 them and the Owner or Owners of the said Tobacco or any other Per-
 son or Persons by his her or their Privy Consent or Procurement
 shall either secretly or openly carry the said Tobacco or any Part
 thereof away from the said Warehouse before the same hath been
 viewed and passed according to Law the said Owner or Owners shall
 forfeit and pay the Quantity of sixteen hundred Pounds of Tobacco
 for every Hogshead of Tobacco so Carried away

[Penalty on
 taking away
 Tobacco re-
 fused to be
 received or
 passed.]

And be it enacted that the Inspectors of Tobacco at the several
 Warehouses within this Province shall immediately on the Delivery
 of every Hogshead Cask Case or Parcel of Tobacco at the Ware-
 houses whereof they are Inspectors weigh and give a Receipt for
 such Tobacco if required by the Proprietor or Person bringing
 the same to the said Warehouse expressing therein that the same is
 for uninspected Tobacco which Receipt shall be given up to the In-
 spectors upon the said Tobacco's being inspected and before the In-
 spectors shall be obliged to deliver Notes therefor

[Inspectors
 to give Re-
 ceipts for
 uninspected
 Tobacco,
 &c.]

And be it further enacted that if any Person other than the In-
 spectors shall hereafter make any Fire within any Public Ware-
 house or without Doors within the Space of fifty Yards from such
 Warehouse such Person if a Freeman shall for every such Offence
 forfeit and pay the Sum of six hundred Pounds of a Tobacco
 and if a Servant or Slave he or she shall by Order of any Justice
 within such County receive on his or her bare Back a Number of
 Lashes not exceeding thirty nine for every such Offence.

[Penalty on
 making
 Fires in or
 near Ware-
 houses.]

And be it further enacted that it shall not be Lawful for any
 person whatsoever to erect or build or Cause to be erected or built
 any wooden Chimney within one hundred Yards of any Public
 Warehouse in this Province and where any Wooden Chimneys are
 already built within the Distance aforesaid from any Public Ware-
 house the Owner or Proprietor of the said Chimneys shall pull
 down the same or on Refusal or neglect so to do in twelve Months
 after the passing this Act it shall and may be lawful for the Sheriff
 of the County and he is hereby required to Cause such Chimneys
 to be pulled down and demolished

[Wooden
 Chimnies
 not to be
 erected
 within 100
 Yards of
 any Ware-
 house, &c.]

And be it Enacted that in all Actions founded on this Act against
 Sea Faring Men or Persons about to depart the Province it shall
 and may be Lawful for the Justices of the Court in which such
 Action shall be Commenced upon Affidavit of the Plaintiff or other
 Evidence of the Fact and his Cause of Action given to the Satis-
 faction of the Court to award special Bail against any Defendant
 or Defendants in such Action and for Default of such Bail to Com-
 mit such Defendant or Defendants to the Custody of the Sheriff

[In Actions
 founded
 against sea-
 faring Men,
 &c. Justices
 to award
 special Bail,
 &c.]

until the Defendant or Defendants shall put in such Special Bail any Law Usage or Custom to the Contrary notwithstanding

Liber R. G.
1773

And whereas the Inspection heretofore established in Dorchester at Plymouth is by this Act discontinued and one other Inspection instead thereof appointed to be on the Land of John Airy near the Mouth of Slaughter Creek in Dorchester Parish in the said County Be it enacted that the Justices for the said County for the Time being shall and they are hereby directed and required at their next March Court to sell by Way of Public Vendue for ready Money only to the best Bidder or Bidders the Right of the said County to and in the Public Warehouse and Land that now is at Plymouth and the Purchaser and Purchasers thereof respectively are on Payment of the Purchase Money hereby vested with and declared to have in him her or them the same right and Title to and in the said Public Warehouse and Land at Plymouth as the said County had or ought to have by Virtue of any Act of Assembly of this Province heretofore made

[Plymouth Warehouse to be sold, and the Title vested in the Purchaser.]

p. 232

And be it enacted that all the Penalties and Forfeitures in this Act mentioned wherein no Mode of recovery is herein before appointed nor different Application thereof directed if the same exceed Six hundred Pounds of Tobacco shall and may be recovered by Action of Debt Information or Indictment one half thereof to the Informer or Person who sues for the same if the Recovery shall be had in an Action of Debt or Information Quitam and the other half to be applied towards Defraying the Charges of the County where the Offence shall be Committed and if the Penalty or Forfeitures shall not exceed six hundred Pounds of Tobacco then the Recovery thereof shall be before any one Justice of the Peace and half of the same shall be paid to the Informer and the other half to the Use of the County as aforesaid and if the recovery shall be on an Indictment or otherwise where there is no Informer the whole shall be applied towards Defraying the Charge of the County where the Offence shall be Committed

[Penalties, wherein no Mode of Recovery is before appointed nor different Applications directed, How to be recovered and applied.]

And whereas many of the Warehouses rented and used under the late Inspection Law for the reception of Tobacco have been since the Expiration of the said Law employed and used by the Owners thereof to other Purposes and they may be now unwilling to rent them for the Use of the Public and whereas it is necessary to erect new Warehouses at some of the Places directed by this Law Be it Enacted that the Justices of the County Court of such Counties or any three of them in all such Cases shall and they are hereby authorized and required to agree for and purchase a Quantity of Land not exceeding one Acre the most Convenient and proper for the Erection of Warehouses And in Case the Owner or Owners of such Land shall refuse to make Sale of so much of the said Land

[Owners of Warehouses used under the late Inspection Law being unwilling to rent them, Justices to purchase Land convenient for the Erection of Warehouses, &c.]

Liber R. G. as the said Justices or any two of them shall think necessary for
 1773 the Purposes by this Act directed at a reasonable Price or be under
 any Disability of making thereof then the said Justices or any two
 of them shall be and are by Virtue of this Act authorized and re-
 quired to issue their Warrant to the Sheriff of such County requir-
 ing and Commanding him to summon impanel and return a Jury
 of the best and most Capable and substantial Freeholders (not less
 than twelve) Inhabitants within such County and not interested in
 or related to the Owner of such Land to be and appear before the
 said Justices on the Premises upon a Certain Day to be by them
 limited and appointed in such Warrant which Jury upon their Oath
 to be by the said Justices or any one of them to the said Jurors ad-
 ministered shall enquire who is or are the Owner or Owners of the
 said Land what is the Value thereof and what Damages such Owner
 or Owners will sustain and the Sum of Money the said Jurors
 shall assess to the Owner or Owners of such Land shall be assessed
 and levied by the Justices of such County at their next November
 Court at the Time of laying the Public Levy and shall be Collected
 p. 233 by the Sheriff of such County in the same Manner as the County
 Levy and may be discharged in like Manner and the Sheriff shall
 pay the same to the Owner or Owners of such Land and the said
 Justices shall immediately after such Valuation by the Jury Cause
 such Land to be surveyed and laid out by the Surveyor of such
 County with good and sufficient Boundaries and a Certificate thereof
 to be returned and recorded in the County Records and the Justices
 of the said County and their Successors shall be and are hereby
 vested with an Estate in fee Simple in the said Land for the Use
 of such County forever and the said Justices or any two of them
 shall and they are hereby authorized and empowered to treat and
 agree with Workmen to build and finish good necessary and Con-
 venient Warehouses on such Land and to purchase all necessities
 and Conveniences to Carry this Act into Execution and the Ex-
 pences for the same shall be assessed levied and Collected on and
 from the Inhabitants of such County in the same Manner as other
 County Levies and be paid by the Sheriff to the Order of the said
 Justices or any two of them.

[Continu- This Act to Continue three Years and to the End of the next
 ance.] Session of Assembly which shall happen thereafter.

By the Lower House of
 Assembly Nov 29th 1773
 Read and assented to
 Signed by Order
 Jn.^o Duckett Cl. Lo. Ho.

On behalf of the right
 Honble the Lord Pro-
 prietary of this Province
 I will this be a Law
 Robt Eden.

By the Upper House of
 Assembly Nov.^r 30th 1773
 Read and Assented to
 Signed by Order
 U Scott Cl. Up. Ho.

No. 2 An Act to explain an Act relating to Leases made by the Rector Vestrymen and Church wardens of Saint Annes Parish.

Liber R. G.

1773

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Whereas by an Act of Assembly made and passed at a Session of Assembly begun and held at the City of Annapolis on the sixteenth Day of May one thousand seven hundred and forty seven entitled "An Act repealing an Act of Assembly entitled an Act to enable the Rector Vestrymen and Church wardens for the Time being of Saint Annes Parish in Ann Arundel County to Lease certain Lots in the City of Annapolis in Manner and to the Uses therein mentioned and to enable the said rector Vestrymen and Churchwardens to Lease certain Lots of Land within the said City of Annapolis" Power was given to the said rector Vestrymen and Churchwardens to lease the Lots in the said City numbered respectively fifty nine sixty and sixty one for any Term not exceeding sixty three Years and after the Expiration of the said Term to grant new Leases for the Term of twenty one Years or three Lives. And whereas it is represented unto this General Assembly that since the passing the said Act Leases have been granted by the rector Vestrymen and Churchwardens of the said Parish for the said Lots of Land for the Term of sixty three Years to several Persons who have made very considerable and valuable Improvements on Part of the said Lots and would build on and improve the residue but from Doubts arising whether the original Lessees and Improvers of the said Lots or those claiming under them will be entitled to a Preference when the Time shall arrive for the renewal of the said Leases And whereas it appears to this General Assembly that it would greatly conduce to the Improvement of the said Lots and be agreeable to the Design and Intention of the said Act and consistent with Equity if a Preference were expressly given to the original Lessees and Improvers of the said Lots and their Assigns to renew the Leases for the said Lots after the Expiration of the said Term of sixty three Years for the further Term of twenty one Years or three Lives and in like Manner from Time to Time on the same Terms and Conditions and reservation of Rent and Fine on renewal as are contained in the said Act and Leases to the said Original Lessees Be it therefore Enacted by the right Honorable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Rector Vestrymen and Churchwardens of the said Parish for the Time being have full Power and Authority and they are hereby directed and required after the Expiration of the said Term of sixty three Years expressed in the Lease to the Original Lessees of the said Lotts to grant new Leases thereof unto the said Original Lessees or their Assigns or such as may claim by from or under them for the further Term of twenty one Years or three Lives and the same

Liber R. G. Leases from Time to Time shall forever in like Manner renew unto
 1773 the said Original Lessees their Assigns and all Persons claiming
 p. 235 by from or under the said Original Lessees on the same Terms and
 Conditions and with a reservation of Payment of the same yearly
 Rent and on Payment of one Years Rent as a Fine on each renew-
 ment as are contained in the said Act and Leases to the said original
 Lessees anything to the Contrary hereof notwithstanding

By the Lower House of
 Assembly Nov. 30th 1773
 Read and Assented to
 Signed by Order
 Jn.^o Duckett Cl. Lo. Ho.

On Behalf of the Right
 Honble the Lord Pro-
 prietary of this Province
 I will this be a Law
 Rob^t Eden

By the Upper House of
 Assembly Nov.^r 30th 1773
 Read and assented to
 Signed by Order
 U Scott Cl. Up. Ho

6½ Sides

The Great Seal
 in Wax appendant

No. 3 An Act for Quietting Sundry the Inhabitants of Frederick County
 in their Possessions

[Preamble.] Whereas it appears to this General Assembly that Sundry the
 Inhabitants of Frederick County have made Purchases of Lands
 and obtained Conveyances for the same which Conveyances were
 acknowledged before Thomas Prather a Magistrate of the County
 only and are therefore defective—

[Convey-
 ances ac-
 knowledged
 before
 Thomas
 Prather to
 be valid.] Be it Enacted by the Right Honourable the Lord Proprietary by
 and with the Advice and Consent of his Governor and the Upper
 and Lower Houses of Assembly and the Authority of the same that
 the Conveyances aforesaid and every of them acknowledged as afore-
 said before Thomas Prather only shall be as valid and effectual in
 Law as if the same had been acknowledged before a Justice of the
 Provincial Court or two Justices of the County Court any Law to
 the Contrary thereof notwithstanding

By the Lower House of
 Assembly Nov 30 1773
 Read and Assented to
 Signed by Order
 Jn.^o Duckett
 Clk. Lo. Ho

On Behalf of the Right
 Honble the Lord Pro-
 prietary of this Province
 I will this be a Law
 Rob.^t Eden

By the Upper House of
 Assembly Nov 30th 1773
 Read and Assented to
 Signed by Order
 U. Scott Cl. Up. Ho

21½ Sides

The great Seal
 in Wax Appendant

No. 4 An Act to enable Martha Roundell and others to make Partition of
 the Land therein mentioned

Whereas the said Martha Roundell, Sarah Cox, Henry Brooke
 and Mary his Wife and Benjamin Skinner and Henrietta his
 Wife by their humble Petition to this present General Assembly did
 set forth that they the said Martha Sarah Mary and Henrietta were
 Daughters and Coheirs of Mary Smith late of Prince Georges
 p. 236 County Widow deceased and as such Entitled to one Moiety or half

Part of nine hundred and twenty four Acres of Land lying in the same County made up of the following Tracts viz Mansfield containing five hundred and thirty Acres, the Farm containing two hundred and twenty seven Acres and three Quarters of an Acre Stoke containing forty four Acres and an half Acre and Collins's Comfort containing one hundred and twenty one Acres and three Quarters of an Acre; otherwise collectively called Errickson's Hazard whereof the said Mary Smith died seised and possessed; And that the said Martha intermarried with a certain Samuel Roundell since gone and now residing beyond Sea that the said Moiety of Land consisted of Upland and about two hundred and twenty one Acres of Marsh or Swampy Land that the Upland had been already divided by Consent by Persons appointed for that Purpose but that the same Division could not be perfected nor Deeds properly executed by reason of the Absence and for Want of the Concurrence of said Samuel Roundell All which Tracts appearing to this General Assembly to be true Be it therefore enacted by the Right Honorable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the said Martha Roundell Sarah Cox Henry Brooke and Mary his Wife and Benjamin Skinner and Henrietta his Wife shall and may proceed to Compleat the Division of said Lands either by mutual Consent and Agreement between themselves or by calling into their Assistance three or more indifferent Persons to be nominated by them And after such Division made the said Martha Roundell is hereby enabled to perfect the same by Deed or Deeds of Partition to be by her executed acknowledged and recorded in the same Manner as if she were sole which same Deed or Deeds when executed shall be good and available to vest the Parties with a separate Estate in said Land according to the Lines and Boundaries agreed upon the Coverture of the said Martha or any Law Custom or Usage to the Contrary notwithstanding.

Liber R. G.
1773

By the Lower House of
Assembly Nov. 30.th 1773
Read and Assented to
Signed by Order
Jn.^o Duckett Cl. Lo. Ho

On Behalf of the right
Honble the Lord Proprietary of this Province
I will this be a Law
Robt Eden.

By the Upper House of
Assembly Nov 30th 1773
Read and Assented to
Signed by Order
U Scott Cl. Up. Ho.

5 Sides

The great Seal
in Wax appendant

No. 5 An Act directing the Sale of the Lands of John Stone Hawkins deceased for the Payment of his Debts.

Whereas George Fraser Hawkins surviving Executor of the last Will and Testament of the said John Stone Hawkins hath by his Petition set forth that the said John Stone Hawkins died considerably indebted by Specialties and other ways That the said John

Liber R. G. Stone Hawkins by his last Will and Testament devised Part of his
 1773 real Estate to be sold for the payment of his Debts and devised all
 p. 237 the Remainder of his Lands to his Daughter Susannah Priscilla in
 Tail with divers Remainders over, that the said Susannah Priscilla
 is a Minor under the Age of fourteen Years That the said George
 Fraser Hawkins administred on the personal Estate of the said John
 Stone Hawkins and sold the Lands devised as aforesaid for Pay-
 ment of the Debts of the said John Stone Hawkins and administred
 and applied all the personal Estate and the Money arising from the
 Sale of the said Lands towards the Payment of his Testators Debts
 that the said George Fraser Hawkins paid and advanced to the bona
 fide Creditors of his Testator fourteen hundred and sixty six
 Pounds three Shillings and five Pence Maryland Currency over and
 above all the Assets in his hands arising from the personal Estate
 of his Testator or from the Sale of the Lands that there are Debts
 of the Testators yet unpaid which together with what is due to the
 said George Fraser Hawkins for Advance as aforesaid are more
 than all the Lands of the Testators remaining unsold can discharge
 and satisfy that the said John Stone Hawkins died seized in Fee
 of the following Tracts or Parcels of Land lying in Prince Georges
 County vizt Something containing forty nine acres Merry Thought
 containing forty Acres Gods Gift containing one hundred and seven-
 teene Acres Part of Never fear containing Fifteene Acres, Part of
 Hazard containing one Acre Part of Hawkins' Lott containing one
 hundred and eighty four acres also part of a Tract or Parcell of
 Land lying in Frederick County called John and Priscilla containing
 sixty two and an half Acres And whereas the said George Fraser
 Hawkins hath prayed by his ~~said~~ Petition that an Act of Assembly
 may pass to impower and enable him to sell the aforesaid Land and
 apply the Money arising from the Sale of the same towards reimburs-
 ing the said George Fraser Hawkins and paying the other Creditors
 of the said John Stone Hawkins so far fourth as may be And the said
 Facts alledged in the said Petition appearing to this General As-
 sembly to be true and the said George Fraser Hawkins having con-
 sented to charge no Commissions on the administration of his
 Testators Estate Be it therefore Enacted by the Right Honorable
 the Lord Proprietary by and with the Advice of his Governor and
 the Upper and Lower Houses of Assembly and the Authority of
 the same that the said George Frazier Hawkins shall be and is by
 Virtue of this Act empowered and enabled to set up and expose to
 Sale by Way of Public Vendue to the highest Bidder the said several
 Tracts or Parcels of Land aforesaid (Two Months Notice of the
 Time and Place of such Sale and Vendue being first given in the
 Maryland Gazett) And the said Tracts or Parcels of Land and all
 the Estate Right and Title of the said John Stone Hawkins therein
 respectively at the Time of his death to sell Convey and make over
 by Indenture of Bargain and Sale or by any Other Proper Convey-

ance to any Person or Persons who shall bid and give the Highest Price therefore as fully and effectually to all Intents & Purposes As if the said George Frazier Hawkins was himself Seized in his Own Right of and in the Like Estate in such Lands as the said John Stone Hawkins was Seized of at the Time of his death And the Money Arising from such sale or sales to Lay and Apply and dispose of for and towards the Satisfaction and payment of the said George Frazier Hawkins and the Other Creditors of the said John Stone Hawkins their Respective Debts in Manner following that is to say, first the said George Fraser Hawkins may retain in his Hands his Claim aforesaid And afterwards he shall apply the Residue if any to the Payments According to the Nature of the several Claims of the other Creditors of the said John Stone Hawkins Deducting thereout the Necessary Charges of such Sale and Sales And to the End that the said Sale or Sales shall be fairly made and the Money arising therefrom duely applied Be it further enacted that the said George Fraser Hawkins shall before such Sales or Sales give Bond with sufficient Sureties to the Deputy Commissary of Prince Georges County for the Time being in the same Manner and form as is Usual in Cases of Testators Estates. which same Bond shall be by him transmitted to the Commissary General with Condition to the same that the said George Fraser Hawkins shall and will in all things fulfill and perform the Directions of this Act with Respect to the Sale or Sales aforesaid. And the Application of the Money arising by such Sale and Sales And shall and will within twelve Months from such Sale or Sales pass and settle an Account thereof with the Deputy Commissary of the County aforesaid for the Time being to be by him transmitted as aforesaid to the Commissary General as aforesaid And be it further enacted that the said George Fraser Hawkins shall not be intituled to or be allowed any Commissions for the Administration of the said Estate of the said John Stone Hawkins. Saving to the said Heirs of John Stone Hawkins the Liberty of shewing Cause if any the said Heirs have or can shew to the Chancellor of this Province for the time being at any Time within six Months after the said Heirs shall arrive at the Age of twenty one Years why the Lands and Premises above mentioned ought not to have been sold as herein is directed And upon such Cause shewn to the Satisfaction of the said Chancellor, then and in such Case this Act shall be Void. Any Clause, Matter or Thing herein to the Contrary Notwithstanding

By the Lower House of
Assembly Dec.^r 4.th 1773
Read and assented to
Signed by Order
John Duckett Clk. Lo. Ho.

On behalf of the Right
Honourable the Lord
Proprietary of this Province
I will this be a Law
Rob. Eden

By the Upper House of
Assembly Dec.^r 4.th 1773
Read and assented to
Signed by Order
U. Scott Clk. Up. Ho.

The great Seal
in Wax appendant

Liber R. G. An Act for the Division of Baltimore County and for erecting a
 1773 new one by the Name of Harford
 p. 239

No. 6

[Preamble.]

Whereas a Considerable Body of the Inhabitants of Baltimore County by their Petition to this General Assembly have prayed That an Act may be passed for a Division of the said County and for erecting a new one out of Part thereof And whereas it Appears to this General Assembly that the erecting of a new County out of such part of Baltimore County will conduce greatly to the Ease and Convenience of the People thereof—

[The
 Bounds of
Harford
 County.]

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that after the second Day of March next all that Part of Baltimore County which is included within the Bounds following to wit Beginning at the Mouth of the little Falls of Gunpowder River and running with the said Falls to the Fountain Head and from thence North to the Temporary Line of this Province and thence with the Temporary Line to Susquehannah River thence with Susquehannah to Chesapeak Bay and thence with the said Bay including Spesutia and Pools Islands to the Mouth of Gunpowder River and thence up the said River to the Beginning aforesaid shall be and is hereby erected into a new County by the Name of Harford County—

[Inhabi-
 tants to en-
 joy the same
 Privileges
 as those of
 other
 Counties.]
 [Commis-
 sioners ap-
 pointed to
 purchase
 Land in or
 adjoining to
Bush-Town,
 for building
 a Court-
 House and
 Prison, &c.]

And be it enacted That the Inhabitants of Harford County aforesaid shall have hold and enjoy all such Rights and Privileges as are held and enjoyed by the Inhabitants of any County in the Province

And be it enacted That M.^r John Paca, M.^r Aquila Hall, M.^r John Mathews, M.^r John Hall of Cranbury, M.^r Amos Garret, M.^r Richard Dallam, and M.^r Benedict Edward Hall, shall be and are hereby appointed Commissioners for Harford County aforesaid and they or the Major Part of them shall and they are hereby authorized and required to buy and purchase in Fee a Quantity of Land not exceeding four Acres of Land in or adjoining to Bush Town on the Head of Bush River for the Purpose of building thereon a Court House and Prison for the said County and shall cause the said Land to be laid out by the Surveyor of Baltimore County with good and sufficient Boundaries and a Certificate thereof to be returned and recorded in the Records of the said County and the said Commissioners or the Major Part of them shall draw their Order on the Sheriff of Harford County to pay such Sum as shall be agreed upon for the said Land and the Sheriff is hereby directed and required to pay the said Order out of the Money here after mentioned to be collected by him for that Purpose and such Payment for the Land aforesaid shall invest the Justices of Harford County and their Successors with an Estate in fee simple therein for

the Use of the said County forever and if the said Commissioners or the Major Part of them and the Owner of the said Land should differ about the Value of the said Land in such Case the Commissioners or the Major Part of them shall be and they are hereby authorized and empowered to order the Sheriff of Baltimore County to summon twelve freeholders upon the said Land who shall be impanelled and sworn as a Jury to enquire the Value of the said Land and the said Commissioners or the Major Part of them shall draw their Order upon the Sheriff of Harford County to pay the said Valuation and the said Sheriff is hereby directed to pay the said Order out of the Money hereafter mentioned to be by him collected for that Purpose and upon his Payment of the said order the fee simple in the said Land shall be invested as aforesaid in the Justices of Harford County and their Successors for the Use of the said County forever.

Liber R. G.
1773

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And be it enacted that the Justices of Harford County or the major Part of them are hereby authorized to contract and agree for a Convenient Place in Bush Town to hold the Courts for the said County and to contract and agree for a Convenient Place in the said Town for their Books Papers and other Records and also for a fit Building for the Custody of Prisoners and the said Courts shall be held and Records Kept at such Places respectively until the Court House and Prison for the said County shall be erected and Built and the Charge and Expence of such Places shall be defrayed by the said County and Assessed with the Public and County Levy

[Justices to contract for Places in Bush-Town for holding Courts, &c. till the Court-House and Prison be built;]

And be it enacted that the Justices of Harford County shall be and they are hereby authorized and required to Assess and Levy on the Taxable Inhabitants of the said County with the Public and County Levy as much Tobacco as will pay for the Purchase or Valuation of the Land aforesaid together with the Sheriffs Salary of five p.^r Centum for Collection which said Quantity of Tobacco shall be collected by the Sheriff of the said County from the Taxable Inhabitants of the said County in the same manner as other Public and County Levies are by Law collected and the said Tobacco when collected shall be paid by the Sheriff to such Person or Persons as the Commissioners aforesaid or the major Part of them shall order and direct.

[And to levy so much Tobacco as will pay for the Purchase thereof.]

And whereas the Taxable Inhabitants of that Part of Baltimore County hereby erected into Harford County have paid a proportionable Quantity of Tobacco towards the building the Court House and Prison in Baltimore Town in Baltimore County—

And whereas a considerable sum of Money was raised by the Sale of the Old Court House and Prison at Joppa and applied towards erecting the said Court House and Prison And for as much as Justice requires that the said proportionable Quantity of Tobacco and a proportionable Part of the said Money should be refunded

Liber R. G. 1773 and applied towards the Building of the Court House and Prison now to be erected in Harford County.

[Justices of Baltimore County to levy 154666 lb. of Tobacco towards building a Court-House and Prison in Harford County.] Be it therefore enacted that the Justices of Baltimore County shall be and they are hereby authorized and required to assess and Levy by two equal Assessments the next Year and the Year afterwards with their Public County Levy the Quantity of one hundred and fifty four thousand six hundred and sixty six pounds of Tobacco in and upon the Taxable Inhabitants of Baltimore County together with the Sheriffs Salary of five Per Centum for Collection which said Quantity of Tobacco so to be Assessed and Levied shall be collected by the Sheriff of Baltimore County from the Taxable Inhabitants thereof in the same Manner as other Public and County Levies are by Law collected and the said Tobacco when collected shall be paid by the said Sheriff to the Commissioners aforesaid and shall be by them applied towards Building the Court House and prison in the said County of Harford.

p. 241

[Justices of Harford County to levy 200000 lb. of Tobacco for the same Purpose.] And be it enacted that the Justices of Harford County shall be and they are hereby authorized and required to assess and levy with the Public and County Levy by two equal Assessments in the next Year and the Year afterwards the Quantity of two hundred thousand Pounds of Tobacco together with the Sheriffs Salary of five per Centum for Collection which said Tobacco so to be assessed and Levied shall be collected by the Sheriff of Harford County from the Taxable Inhabitants of the said County in the same Manner as other Public and County Levies are by Law collected which said Tobacco when collected shall be paid by the said Sheriff to the Commissioners aforesaid and applied by them towards Building the Court House and Prison aforesaid for the said County—

[Commissioners to contract for building the Court-House and Prison.] And be it enacted That the Commissioners aforesaid or the major part of them shall be and they are hereby authorized and required to contract and agree for the Building of the said Court House and Prison which said Court House and Prison shall be built and erected on the Land to be purchased as aforesaid in or adjoining to Bush Town on the Head of Bush River and the said Town after the Commencement of this Act shall be called Harford Town—

[Causes, &c. depending in Baltimore County Court before March 2, to be prosecuted, &c.] And be it enacted That all Causes Pleas Process and Pleadings which now are or shall be depending in Baltimore County Court before the second Day of March next shall and may be prosecuted as effectually as they might have been had this Act never been made— And in Case any Deeds or Conveyances of Lands in Harford County have been or shall be before the Division aforesaid acknowledged according to Law in Baltimore County the Enrollments or recording thereof within the Time limited by Law either in the County Court of Baltimore County or in the County Court of Harford County shall be good and available the Division aforesaid Notwithstanding—

And be it enacted that the Justices of Baltimore County shall be and they are hereby impowered upon Application to Issue Executions or other legal Process upon all Judgments and obtained or to be had and obtained in Baltimore County Court against any Inhabitant of Harford County and to enforce the same which said Writs shall be directed to the Sheriff of Harford County and the said Sheriff is hereby authorized and directed to serve and return the same to Baltimore County Court with the Body or Bodies of the Person or Persons if taken against whom such Writ or Writs shall issue for that Purpose and during the Attendance of the Sheriff of Harford County at Baltimore County Court he shall have a power to confine in Baltimore County Goal if he should think it necessary such Persons as he shall have in Execution but after his Attendance shall be dispensed with by the said Court He shall then in a reasonable time remove such Persons as he shall have in Execution to Harford County Goal there to be kept till legally Discharged

*Liber R. G.
1773.
Justices of
Baltimore
County to is-
sue Execu-
tions against
Inhabitants
of Harford
County, &c.]*

And be it enacted That the Public and County Levy now assessed or levied or to be levied and Assessed by the Justices of Baltimore County Court at their Levy Courts for the present Year shall and may be collected and received by the Sheriff of Baltimore County as well of the Taxable Inhabitants of Harford as of Baltimore County and Collected accounted for and in such Manner as the said publick and County Levy would have been collected accounted for and applied had this Act never been made—

*[Levies as-
sessed for
the present
Year to be
applied in
such Man-
ner as if this
Act had
never been
made.]
p. 242*

And be it enacted that the several Delegates for Baltimore County shall retain their Seats and that such of them as are Residents in Baltimore County after the Division aforesaid shall be deemed and taken as Delegates for that County and such of them as are Residents in Harford County shall be deemed and taken Delegates for that County and Writs of Election shall issue to make up the Number of Delegates wanted in either County to compleat the Usual and Common County Representation—

*[Delegates
for Balti-
more County
to retain
their Seats,
and serve
for the
Counties in
which they
reside, &c.]*

And be it enacted that the County Court of Harford County shall begin and be held Yearly on the fourth Tuesday of those Months in which other County Courts are held and shall have equal Power and Jurisdiction with any County Court in this Province—

*[Harford
County
Courts,
when to be
held.]*

By the Lower House of
Assembly Dec.^r 9.th 1773
Read and Assented
Signed by Order
John Duckett Clk. Lo: Ho:

On behalf of the right
Honourable the Lord
Proprietary of this Pro-
vince I will this be a Law
Rob.^t Eden

By the Upper House of
Assembly Dec.^r 9.th 1773
Read and Assented to
Signed by Order
U. Scott Clk. Up: Ho:

21½ Sides

The great Seal
in Wax appendant

No. 7 An Act for the Amendment of the Law

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper

Liber R. G.
¹⁷⁷³
 [Persons
 under Age,
 &c. pos-
 sessed of
 Lands in
 Trust, and
 liable to a
 Decree for
 Sale or
 Conveyance,
 &c. shall,
 on Petition
 of the Per-
 sons for
 whom they
 shall be pos-
 sessed in
 Trust, &c.
 convey such
 Lands as
 the Court
 of Chancery
 shall direct
 &c.]

p. 243

and Lower Houses of Assembly and the Authority of the same That from and after this Session of Assembly Persons under the Age of one and twenty Years and Persons being Idiot Lunatick or non compos Mentis seized or possessed of any Lands Tenements or Hereditaments in Trust or by Way of Mortgage or seized or possessed thereof charged or chargeable with the Payment of Money or Tobacco and therefore subject or liable to a Decree for Sale or bound by an Agreement to convey made by some Person or Persons having Right or Title to make such Agreement and therefore subject or liable to a Decree for Conveyance on a Suit for a Specific Performance or Execution of such Agreement shall by Direction of the Court of Chancery signified by an Order made upon the hearing of all Persons concerned on the Petition of the Person or Persons for whom such Infant or Infants or Persons being Idiot Lunatick or non compos Mentis or his her or their Committee or Committees in his her or their Name or Names shall be seized or possessed in Trust or of the Mortgagor or Mortgagors or other Person or Persons entitled to Redemption or Person or Persons entitled to Money or Tobacco secured by or upon the said Lands Tenements or Hereditaments or of the Person or Persons entitled to any Money or Tobacco with the Payment whereof the said Lands Tenements or Hereditaments are or shall be charged or chargeable or of the Person or Persons entitled to a Specific Performance or Execution of such Agreement as aforesaid convey and assure any such Lands Tenements or Hereditaments in such Manner as the Court of Chancery shall by such Order so to be obtained direct to any other Person or Persons and such Conveyance or Assurance so to be had and made as aforesaid shall be as good and effectual in Law as if such Infant or Infants were at the Time of making such Conveyance or Assurance of the full Age of twenty one Years and the Conveyance or Assurance so to be had and made as aforesaid in the Case of Persons being Idiot Lunatick or non compos Mentis shall in like Manner be as good and effectual as if the said Person or Persons was or were at the Time of making such Conveyance or Assurance of sound Mind Memory and Understanding and had by him her or themselves executed the same and all and every such Infant or Infants or Persons being Idiot Lunatick or non Compos Mentis being Trustee or Trustees Mortgagee or Mortgagees or being seized of possessed of Lands Tenements or Hereditaments liable or subject in any manner aforesaid or the Committee or Committees of all and every such Persons being Idiot Lunatick or non compos Mentis shall and may be compelled by such Order as aforesaid to make such Conveyance or Conveyances Assurance or Assurances in like Manner as Persons of full Age and Sane Memory are compellable to make

[Proviso] Provided always that no Order or Direction as aforesaid shall be made or given in Virtue of this Act in the Case of any Infant or

Infants seized or possessed of any Land Tenements or Hereditaments charged with or subject to the Payment of Money or Tobacco unless it shall appear that the Guardian or Guardians of such Infant or Infants hath or have consented thereunto and also that such Infant or Infants will not sustain any Detriment Disadvantage or Inconvenience from such Order or Direction and also that upon every Order or Direction for Conveyance to be made by an Infant or Infants for the Specifick Performance and Execution of any such Agreement as aforesaid Liberty shall be reserved for the said Infant or Infants to Shew Cause within six Months after he she or they shall have attained the full Age of twenty one Years if such Infants or Infants shall attain such full Age and also for the Heirs of such Infant or Infants if such Infant or Infants shall not so long live in six Months after the Decease of such Infant or Infants if the said Heirs shall then be of full Age and if such Heirs shall not then be of full Age in six Months after such Heirs shall have attained his her or their full Age why such Conveyance ought not to have been ordered or directed and on sufficient Cause being shewn as aforesaid the Infant or Infants aforesaid or his or their Heirs shall be entitled to and have a Re-Conveyance by Order or Decree of the said Courts of the said Lands Tenements or Hereditaments by whomsoever claimed or possessed by from or under the Conveyance made by such Infant or Infants aforesaid and also a full Account of the Rents and Profits thereof and from the Person who shall have received the same—

And be it further enacted by the Authority aforesaid that if any suit which shall be commenced in the Court of Chancery any Defendant or Defendants against whom any Subpcna or other Process shall issue shall not cause his her or their Appearance to be entered upon such Process within such Time and in such Manner as according to the Rules of the Court the same ought to have been entered in Case such Process had been duly served and an Affidavit or Affidavits shall be made to the Satisfaction of the Courts that such Defendant or Defendants is or are out of this Province or that upon inquiry at his her or their usual Place of Abode He She or They could not be found so as to be served with such Process and that there is just Ground to believe that such Defendant or Defendants is or are gone out of this Province or otherwise abscond to avoid being served with the Process aforesaid then and in such Case the said Court may make an Order directing and appointing such Defendant or Defendants to appear at a Certain Day therein to be named and a Copy of such Order shall forthwith be inserted in the Maryland Gazette and continued therein for six successive Weeks and a Copy of such Order shall be left as soon as conveniently may be at the Usual Place of Abode of such Defendant or Defendants before his her or their leaving this Province or absconding as aforesaid and also a Copy of it shall be forthwith set up at the Door of the Court

Liber R. G.
1773

Defendants not causing their Appearance to be entered, or being gone out of the Province, &c. the Court of Chancery to issue Process to compel the Performance of their Decree, &c.
p. 244

Liber R. G. House of the County wherein the Defendant or Defendants did
 1773 last reside before his her or their absconding as aforesaid and if the Defendant or Defendants do not appear within the Time limited by such Order or within such further Time as the Court shall appoint then on Proof made of such Publication of such Order the Court being satisfied of the Truth thereof may order the Bill of the Plaintiff or Plaintiffs to be taken pro confesso and make such Decree thereupon as shall be thought just and may thereupon issue Process to compel the Performance of such Decree either by an immediate Sequestration of the real and Personal Estate and Effects of the Party or Parties so absenting (if any such can be found) or such Part thereof as may be sufficient to satisfy the Demands of the Plaintiff or Plaintiffs in the said suit or by causing Possession of the Estate or Effects demanded by the Bill to be delivered to the Plaintiff or Plaintiffs or otherwise as the Nature of the Case shall require and the said Court may likewise order such Plaintiff or Plaintiffs to be paid and satisfied his her or their Demands out of the Estate or Effects so sequestered according to the true Intent and Meaning of such Decree such Plaintiff or Plaintiffs first giving sufficient Security in such Sum as the Court shall think proper to abide such Order touching the Restitution of such Estate or Effects as the Courts shall think proper to make concerning the same upon the Appearance of the Defendant or Defendants to defend such Suit and paying such Costs to the Plaintiff or Plaintiffs as the Courts shall order

[Proviso, in
 Case of
 absconding
 Persons,
 &c.] Provided always that if any Decree shall be made in pursuance of this Act against any Person or Persons being out of this Province or absconding in Manner aforesaid at the Time such Decree is pronounced and such Person or Persons shall within two Years after making such Decree return or become publickly visible then and in such Case he she or they shall likewise be served with a Copy of such Decree within a reasonable Time after His Her or Their return or public Appearance shall be known to the Plaintiff or Plaintiffs and in Case any Defendants against whom such Decree shall be made shall within two Years after making such Decree happen
 p. 245 to die before his or her Return into this Province or appearing openly as aforesaid then his or her Heir if such Defendant shall have any real Estate sequestered or whereof Possession shall have been delivered to the Plaintiff or Plaintiffs and such Heir may be found or if such Heir shall be a Feme Covert Infant or non compos Mentis the Husband Guardian or Committee of such Heir respectively or if the Personal Estate of such Defendant be sequestered or Possession thereof delivered to the Plaintiff or Plaintiffs then his or her Executor or Administrator (if any such there be) may and shall be served with a Copy of such Decree within a reasonable time after it shall be known to the Plaintiff or Plaintiffs that at the

Defendant is dead and who is his or her Heir Executor or Administrator or where he she or they respectively be served therewith and if any Person or Persons so served with a Copy of such Decree shall not within six Months after such Service appear and Petition to have the said Cause reheard such Decree so made as aforesaid shall Stand absolutely confirmed against the Person or Persons so served with a Copy thereof His Her and their respective Heirs Executors and Administrators and all Persons claiming or to claim by from or under him her them or any of them by Virtue of any Act done or to be done subsequent to the Commencement of such Suit and if any Person so served with a Copy of such Decree shall within six Months after such Service or if any Person not being So served shall within two Years next after the making such Decree appear in Court and Petition to be heard with Respect to the Matter of such Decree and shall pay down or give Security for payment of such Costs as the Court shall think Reasonable in that Behalf the Person or Persons so petitioning his her or their Respective Representatives or any Person or Persons claiming under him her or them respectively by Virtue of any Act done before the Commencement of the Suit may be admitted to answer the Bill exhibited and issue may be joined and Witnesses on both Sides examined and such other Proceedings Decree and Execution may be had thereon as there might have been in Case the same Party had originally appeared and the Proceedings had been newly begun or as if no former Decree or Proceeding had been in the same Cause and if any Person or Persons against whom such Decree shall be made His her or their Heirs Executors or Administrators shall not within two Years next after making such Decree appear and petition to have the Cause reheard and pay down or give Security for Payment of such Costs as the Court shall think reasonable in that Behalf such Decree made as aforesaid shall stand absolutely confirmed against the Person and Persons against whom such Decree shall be made his her and their Heirs Executors and Administrators and against all Persons claiming or to claim by from or under him her or them or any of them by Virtue of any Act done subsequent to the Commencement of such Suit and at the End of such two Years it shall and may be Lawful for the Court to make such further Order as shall be just and reasonable according to the Circumstances of the Case—

And be it enacted by the Authority aforesaid that upon Appeal to his Majesty in Council from any Judgment or Decree which shall be rendered or given in the Court of Appeals of this Province whereupon Security shall be given for prosecuting such Appeal in Case the Appellant or Appellants shall not lodge in the said Court of Appeals of this Province a Certificate of the Clerk of his Majestys

Liber R. G.
1773

A Certificate of the Clerk of his Majesty's Council to be lodged in the Court of Appeals within 12 Months, that the Record had been lodged with him.

Liber R. G. Council or other proper Officer thereof or other sufficient Proof
 1773 making it appear that the Record of the Judgment or Decree appealed from had been lodged with or delivered unto the Clerk of his Majestys Council or other proper Officers thereof in twelve Months after such Appeal obtained to his Majesty in Council then
 p. 246 and in such Case the Appeal Bond of the Appellant or Appellants and of his her or their Sureties therein shall be liable to be put in Suit for such Default upon the Application of the Appellee or Appellees for that Purpose

[Proviso.] Provided always that if the Appellant or Appellants aforesaid shall within the said twelve Months make appear or disclose such Matters as may make it reasonable to grant him her or them a further Time for lodging or delivering the Record aforesaid in manner aforesaid then and in such Case the Court of Appeals of this Province may on the Application of the Appellant or Appellants grant to him her or them such further Time as to the said Court shall seem to be reasonable upon the Circumstances of such Case and when a further Time for the Purpose aforesaid upon such Application as aforesaid shall be granted in such Case the Appeal Bond aforesaid shall not in Virtue of this Act be liable to be put in Suit until the said further Time shall have expired and the Rule or Order of the said Court of Appeals of this Province granting such further Time shall not have been performed by the Appellant or Appellants—

Witnesses
 residing out
 of the Prov-
 ince, Jus-
 tices to di-
 rect the
 Clerk of the
 Court to is-
 sue a Com-
 mission for
 taking
 Depositions,
 &c.

And be it enacted By the Authority aforesaid that it shall and may be lawful for the Justices of the Provincial Court or any County Court upon Application made to them in Court by any Party or Parties in or to any Action or civil Suits depending or that shall be depending before them and upon Satisfaction being given to such Court by Affidavit or otherwise that there are material and competent Witnesses in such Cause residing or living out of this Province to direct the Clerk of such Courts to issue a Commission for taking the Depositions or Affidavits of such Witnesses and that such Commission shall issue and the Commissioners shall be appointed and qualified and such Interrogatories be proposed or exhibited and such Commission be executed and returned and the Depositions or Affidavits taken in Pursuance thereof shall be published in the same Manner and form as in Case of a Commission issuing out of the Courts of Chancery for the Examination of Witnesses residing and living out of this Province and the Depositions or Affidavits which shall be duly made and taken in Virtue of any Commission which shall issue in Pursuance of this Act or Copies thereof duly attested shall be admitted in evidence at the Trial of the Cause

This Act to continue for and during the Term of Seven Years

and untill the End of the next Session of Assembly which shall happen thereafter. Liber R. G.
1773

By the Lower House of Assembly Dec. 7 14 th 1773 Read and Assented to Signed by Order John Duckett Clk. Lo: Ho:	On behalf of the Right Honourable the Lord Proprietary of this Pro- vince I Will this be a Law Rob. ^t Eden	By the Upper House of Assembly Dec. 7 14 th 1773 Read and Assented to Signed by Order U. Scott Clk. Up. Ho
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25 Sides

The great Seal
in wax appendant

No. 8 An Act to confirm a Lease made by Thomas Harrison of Baltimore County for Part of a Lot of Land therein mentioned to the Commissioners of Baltimore Town and their Successors. p. 247

Whereas it is represented to this General Assembly that the Inhabitants of the said Town have obtained a Lease from a Certain Thomas Harrison to William Lyon, Nicholas Ruxton Gay, John Moale and Andrew Buchanan to and in the Name of a Majority of the Commissioners of the said Town bearing Date the fourth Day of June seventeen hundred and sixty three for Part of a Lot of Land in the said Town distinguished in the Platt thereof by the Number seventy one for and during the Term of ninety Nine Years under the Yearly Rent of Eight Pounds Sterling Money with a Covenant therein contained on the part of the said Thomas Harrison for the Renewment of the said Lease at the Expiration of the said Term and further renewable forever; on which said Part of the Lot aforesaid the said Inhabitants have built and erected a large and convenient Building calculated for a Market House and other Public Uses and it is prayed that an Act of Assembly may be passed for confirming the said Lease and vesting the Estate therein limited in the Commissioners of the said Town and their Successors for the Use and Benefit of the said Town— [Preamble.]

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of the Governor and the Upper and Lower Houses of Assembly and the Authority of the same, That the said Lease as made by the said Thomas Harrison and every Clause Matter and thing therein contained shall be and hereby is declared good and sufficient in Law and that the Commissioners of Baltimore Town and their Successors shall and may hold possess and enjoy the said demised part of the Lot of Land aforesaid and the Estate therein limited to and for the Use and Benefit of the said Town in as full and ample manner as if they the Lease made
by Thomas
Harrison
declared
good, and
the Commis-
sioners of
Baltimore-
Town to
hold the
Land as
fully as if
they had
been a Body
politic.

Liber R. G. said Commissioners had been legally constituted a Body Politic and
 1773 Corporate in Deed and in Name with Capacity to purchase

By the Lower House of Assembly Dec. ^r 14 th 1773 Read and Assented to Signed by Order John Duckett Clk. Lo: Ho:	}	On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I will this be a Law Rob. ^t Eden	{	By the Upper House of Assembly Dec. ^r 15 th 1773 Read and Assented to Signed by Order U. Scott Clk. Up: Ho:
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4 Sides

The great Seal
in Wax appendant

No. 9 An Act for the Relief of the poor in Ann Arundel County—

p. 248
 [Preamble.] Whereas the Trustees for the Poor of Ann Arundel County have represented to this present General Assembly that they have contracted with Workmen to erect an Alms and Work House and finish the same on or before the first Day of May next And that the Justices of Ann Arundel County are prohibited by Act of Assembly from Assessing or Levying any Tobacco or Money for the Support of such Poor as may be taken into said House untill the Month of November one Thousand seven hundred and seventy four in Consequence Whereof the said House will stand idle and useless to the County unless Provision be made to defray the expence that must attend the taking in and supporting the Poor in said House: All which Facts appearing to be true and that the said Work House will Probably be finished some time next summer

Justices to
 levy 10 lb.
 of Tobacco
 per Poll, to
 defray the
 Expence of
 supporting
 the Poor.

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Justices of Ann Arundel County shall and they are hereby required at this laying of the County levy for the present Year to assess and levy on the Taxable Inhabitants of Ann Arundel County a Sum not exceeding ten pounds of Tobacco per Poll together with the Sheriffs Salary of five per Cent for collecting the same which said Assessments so as aforesaid to be made and levied shall be collected the ensuing Year by the sheriff of said County from the Taxable Inhabitants of said County in the same Manner as Publick and County Levies are collected and paid to the Trustees of the Poor for said County to defray the Expence of taking in and supporting the Poor in said House

Tobacco
 may be paid
 in Money.

And be it further enacted that the Taxable Inhabitants of said County shall be and they are hereby enabled to pay the Tobacco so assessed in Money at the same Rates and in the same Manner as other

Public and County Levies are paid any thing herein contained to the Contrary Notwithstanding. Liber R. G.
1773

By the Lower House of Assembly Dec. ^r 14. th 1773 Read and Assented to Signed by Order John Duckett Clk. Lo. Ho:	{	On behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law Rob. ^t Eden	{	By the Upper House of Assembly Dec. ^r 15. th 1773 Read and Assented to Signed by Order U. Scott Clk. Up. Ho.
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5 Sides

The great Seal
in Wax appendant

10. 10 An Act for the Division of Dorchester and Queen Anns Counties and for erecting a new one by the Name of Caroline p. 249

Whereas a Considerable Body of the Inhabitants of Dorchester and Queen Anns Counties by their Petition to this General Assembly have prayed that an Act may be passed for a Division of the said Counties and for erecting a new one out of Parts thereof [Preamble.]

And whereas it appears to this General Assembly that the erecting of a new County out of such Parts of Dorchester and Queen Anns Counties will conduce greatly to the Ease and Convenience of the People thereof.

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That after the Monday after the second Tuesday in March next such Parts of the aforesaid two Counties of Dorchester and Queen Anns as are contained within the Bounds and Limits following to wit Beginning at a Point on the North Side of the Mouth of Hunting Creek in Dorchester County and from thence running up and with the said Creek to the Main Road at James Murray's Mill thence with that Road by Saint Mary's White Chapel Parish Church to the North West Fork Bridge thence with the Main Road (that leads to Cannon's Ferry) to Nanticoke River thence with the said River to and with the exterior Limits of the aforesaid County of Dorchester to the exterior Limits of Queen Anns County thence with the Limits of Queen Anns County to intersect the Main Road that leads from the Beaver Dam Causeway to Dover Town in Kent County upon Delaware thence with the said Road to the long Marsh thence with the said Marsh and Stream of the Branch of Tuckahoe to Tuckahoe Bridge thence with the said Creek to Great Choptank River and with the said River to the first Beginning at the Mouth of Hunting Creek shall be and is hereby erected into a new County by the Name of Caroline County. [Bounds of
Caroline
County.]

And be it enacted, that the Inhabitants of Caroline County aforesaid shall have hold and enjoy all such Rights and Privileges as are held and enjoyed by the Inhabitants of any County in this Province Inhabitants
to enjoy the
same Privi-
leges as
those of
other
Counties.]

Liber R. G. And be it enacted that M.^r William Haskins, M.^r Richard Mason,
 1773 M.^r Joshua Clarke, M.^r John White, M.^r Henry Dickenson, M.^r
 [Commissioners appointed to purchase
 Land at or adjoining Pig-Point,
 for building a Court-House and
 Prison, &c.
 p. 250
 M.^r William Keene, and M.^r Thomas Goldsborough, shall be and are
 hereby appointed Commissioners for Caroline County aforesaid and
 they or the Major Part of them shall be and they are hereby Author-
 ized and Required to buy and purchase in Fee a Quantity of Land not
 exceeding four Acres of Land at or adjoining Pig Point on the
 East Side of Choptank River below Melvins Warehouse for the
 Purpose of building thereon a Court House and Prison for the said
 County and shall cause the said Land to be laid out by the Surveyor
 of Dorchester County with good and sufficient Boundaries and a
 Certificate thereof to be returned and recorded in the Records of the
 said County and the said Commissioners or the Major Part of
 them shall draw their Order on the Sheriff of Caroline County to
 pay such Sum as shall be agreed upon for the said Land and the
 sheriff is hereby directed and required to pay the said Order out
 of the Money hereafter mentioned to be collected by him for that
 Purpose and such Payment for the Land aforesaid shall invest the
 Justices of Caroline County and their Successors with an Estate in
 fee simple therein for the Use of the said County forever and if the
 said Commissioners or the Major Part of them and the Owner of
 the said Land should differ about the Value of the said Land in
 such Case the Commissioners or the Major Part of them shall be
 and they are hereby Authorized and empowered to order the Sheriff
 of Dorchester County to summon twelve Freeholders upon the said
 Land who shall be impanelled and sworn as a Jury to enquire the
 Value of the said Lands and the said Commissioners or the Major
 Part of them shall draw their Order upon the Sheriff of Caroline
 County to pay the said Valuation and the said Sheriff is hereby di-
 rected to pay the said Order out of the Money hereafter mentioned to
 be by him collected for that Purpose and upon his Payment of the
 said Order the fee Simple in the said Land shall be invested as afore-
 said in the Justices of Caroline County and their Successors for the
 Use of the said County forever

[Justices to contract for convenient Places for holding Courts, &c. till the Court-House and Prison be built;]
 And be it enacted that the Justices of Caroline County or the
 Major Part of them are hereby Authorized to contract and agree
 for a Convenient Place in the said County to hold the Courts for
 the said County and to contract and agree for a Convenient Place
 in the said County for their Books Papers and other Records and
 also for a fit Building for the Custody of Prisoners And the said
 Courts shall be held and Records kept at such Places respectively
 until the Court House and Prison for the said County shall be
 erected and built And the Charge and expence of such Places shall
 be Defrayed by the said County and Assessed with the Public and
 County Levy

And be it enacted that the Justices of Caroline County shall be and they are hereby authorized and required to Assess and Levy on the Taxable Inhabitants of the said County with the County and Public Levy as much Tobacco as will pay for the Purchase or Valuation of the Land aforesaid together with the sheriffs salary of five per Centum for Collection which said Quantity of Tobacco shall be collected by the Sheriff of the said County in the same Manner as other Public and County Levys are by Law collected and the said Tobacco when collected shall be paid by the said Sheriff to such Person or Persons as the Commissioners aforesaid or the Major Part of them shall order and direct—

Liber R. G.
1773
And to levy
as much To-
bacco as will
pay for the
Purchase
thereof.]
p. 251

And whereas the Taxable Inhabitants in that Part of Dorchester County erected into Caroline County have paid seventy thousand Pounds of Tobacco towards the building of the Court House in Cambridge in Dorchester County. And for as much as Justice requires that the said seventy thousand Pounds of Tobacco should be refunded and applied towards the Building the Court House and Prison now to be erected in Caroline County

Be it therefore enacted that the Justices of Dorchester County shall be and they are hereby Authorized and required to Assess and Levy with their Public and County Levy by two equal Assessments the next Year and the Year afterwards the Quantity of Seventy Thousand Pounds of Tobacco upon the Taxable Inhabitants of Dorchester County together with the sheriffs salary of five per Centum for Collection which said Quantity of Tobacco so to be assessed and levied shall be collected by the sheriff of Dorchester from the Taxable Inhabitants thereof in the same Manner as other Public and County Levies are by Law collected and the said Tobacco when collected shall be paid by the said Sheriff to the Commissioners aforesaid and shall be by them applied towards Building the Court House and Prison in Caroline County aforesaid—

[Justices of
Dorchester
County to
levy 70000
lb. of To-
bacco to-
wards build-
ing a Court-
House and
Prison in
Caroline
County.]

And be it enacted that the Justices of Caroline County shall be and they are hereby Authorized and required to Assess and Levy with the Public and County Levy by three equal Assessments the next Year and the two succeeding Years the Quantity of two hundred thousand Pounds of Tobacco together with the sheriffs salary of five per Centum for Collection which said Tobacco so to be Assessed and Levied shall be collected by the Sheriff of Caroline County from the Taxable Inhabitants of the said County in the same Manner as other Public and County Levies are by Law collected which said Tobacco when collected shall be paid by the said Sheriff to the Commissioners aforesaid and applied by them towards building the Court House and Prison aforesaid for the said County

[Justices of
Caroline
County to
levy 200 000
lb. of To-
bacco for
the same
purpose.]

And whereas the aforesaid Quantity of seventy thousand Pounds of Tobacco to be refunded as aforesaid and applied as aforesaid

Liber R. G. 1773 was levied and assessed upon the Taxable Inhabitants only of that Part of Dorchester County now included in Caroline County.

And whereas Justice requires that the Taxable Inhabitants of that Part of Queen Anns County now included in Caroline County should be taxed proportionably—

[Constables in those Parts of *Queen-Anne's and Dorchester* Counties, included in *Caroline* County, to make Lists of the Inhabitants, and return them to the Justices; who are to ascertain the Proportion of Tobacco the Inhabitants of that Part of *Queen Anne's* County included in *Caroline* County ought to be taxed, &c.] p. 252

Be it enacted that the Justices of Caroline County shall be and they are hereby Authorized and impowered to order and direct the Constables of the several Hundreds in that Part of Queen Anns County now included in Caroline County to make out a List of the Taxable Inhabitants in the said Part of Caroline County and to return the same to their next Levy Court and to order the Constables of the several Hundreds in that Part of Dorchester County now included in Caroline County to make out a List of the Taxable Inhabitants in that Part of Caroline County and to return the same at their said Court and from the said Lists the said Justices are hereby impowered and required to fix and ascertain what Quantity or Proportion of Tobacco the Taxable Inhabitants of that Part of Queen Anne County now included in Caroline County ought to be taxed to make up an equal Contribution with the Taxable Inhabitants of that part of Dorchester County now included in Caroline County and which said Quantity of Tobacco the said Justices shall be and they are hereby impowered to Levy and Assess by three equal Assessments with their Public and County Levy the next year and the two Years succeeding on the Taxable Inhabitants of that Part of Queen Anns County now included in Caroline County the said Quantity of Tobacco ascertained as aforesaid to be an equal Proportion as aforesaid together with five per Cent to the Sheriff for Collection which said Quantity of Tobacco so assessed and levied shall be collected by the Sheriff of Caroline County of the Taxable Inhabitants of the said Part of Caroline County in the same Manner as other Public and County Levies are by Law collected and the said Tobacco when collected shall be paid by the said Sheriff to the Commissioners aforesaid and applied by them towards building the Court House and Prison in the County aforesaid—

[Commissioners to contract for the building a Court-House and Prison.]

And be it enacted that the Commissioners aforesaid or the Major Part of them shall be and they are hereby Authorized and required to contract and agree for the Building of the said Court House and Prison which said Court House and Prison shall be built and erected on the Land to be purchased as aforesaid and the said place after the Commencement of this Act shall be called Eden Town.

[Causes depending before the 2d Tuesday in March to be prosecuted, &c.] p. 253

And be it enacted that all Causes Pleas Process and Pleadings which now are or shall be depending in Dorchester and Queen Anns County Courts before the Monday after the second Tuesday in March shall and may be prosecuted as effectually as they might have been had this Act never been made

And be it enacted that the Justices of Dorchester and Queen Anns Counties shall be and they are hereby respectively impowered upon Application to issue Executions or other Legal Process upon all Judgments had and obtained or to be had and obtained in Dorchester or Queen Anns County Courts against any Inhabitants of Caroline County and to enforce the same which said Writs shall be directed to the Sheriff of Caroline County and the said Sheriff is hereby Authorized and directed to serve and return the same to Dorchester and Queen Anns County Courts respectively with the Body or Bodies of the Person or Persons if taken against whom such Writ or Writs shall issue for that Purpose and during the Attendance of the Sheriff of Caroline County at Dorchester or Queen Anns County Courts he shall have a Power to confine in Dorchester or Queen Anns County Goal respectively if he should think it Necessary such Persons as he shall have in Execution but after his Attendance shall be dispensed with by the said Courts respectively he shall then in a reasonable Time remove such Persons as he shall have in Execution to Caroline County Goal there to be kept till legally Discharged.

And be it enacted that in Case any Deeds or Conveyances of Lands or Chattels in that Part of Queen Anns County now included in Caroline County have been or shall be before the Division aforesaid acknowledged according to Law in Queen Anns County the Enrollment or recording thereof within the Time limited by Law either in the County Courts of Queen Anns or the County Court of Caroline shall be good and available the Division aforesaid notwithstanding. And in Case any Deeds or Conveyances of Lands or Chattels in that Part of Dorchester County now included in Caroline County have been or shall be before the Division aforesaid acknowledged according to Law in Dorchester County the Enrollment or Recording thereof within the Time limited by Law either in the County Courts of Dorchester or in the County Courts of Caroline shall be good and Available in Law the Division aforesaid Notwithstanding.

And be it enacted that the Public and County Levy now Assessed or Levied or to be levied and assessed by the Justices of Dorchester County Court at their Levy Court for the present Year shall and may be collected and received by the sheriff of Dorchester County as well of the Taxable Inhabitants of that Part of Dorchester County which is included in Caroline County as of Dorchester County and collected accounted for and applied in such Manner as the said Public and County Levy would have been collected accounted for and applied had this Act never been made—

And be it enacted that the Public and County Levy now Assessed or Levied or to be Levied and Assessed by the Justices of Queen Anns County Court at their Levy Court for the present Year shall and may be collected and received by the Sheriff of Queen Anns

Liber R. G.
1773
[Justices of
Dorchester
and Queen
Anne's
Counties to
issue Execu-
tions against
the Inhabi-
tants of
Caroline
County,
&c.]

[Deeds or
Conveyances
acknowl-
edged either
in Queen
Anne's or
Dorchester
County
Courts, be-
fore the Di-
vision of the
Counties, if
enrolled
either in
Queen
Anne's Dor-
chester, or
Caroline
Counties, to
be good and
available.]

[Levies as-
sessed for
the present
Year by the
Justices of
Dorchester]

[or Queen-
Anne's
Counties, to
be applied in
such Manner
as if this
Act had
never been
made.]

Liber R. G. County as well of the Taxable Inhabitants of that Part of Queen
 1773 Anns County which is included in Caroline County as of Queen
 Anns County and collected accounted for and applied in such Manner
 as the said Public and County Levy would have been collected ac-
 counted for and applied had this Act never been made.

[Delegates for Dorchester County to retain their Seats, and serve for the Counties in which they reside.] And be it enacted that the several Delegates for Dorchester County shall retain their Seats and that such of them as are residents in Dorchester County after the Division aforesaid shall be Deemed and taken as Delegates for that County and such of them as are Residents in Caroline County shall be deemed and taken Delegates for that County and Writs of Election shall issue to make up the Number of Delegates wanted in either County to compleat the Usual and common County Representation—

[Caroline County Courts, when to be held] And be it enacted that the County Courts of Caroline County shall begin and be held on the third Tuesdays of the same Months in which Other County Courts of this Province are held Yearly and shall have equal Power and Jurisdiction with any County Court in this Province.

By the Lower House of
 Assembly Dec.^r 14th 1773
 Read and Assented to
 Signed by Order
 Jn.^o Duckett
 Clk. Lo: Ho:

On behalf of the Right
 Honble the Lord Pro-
 prietary of this Province
 I will this be a Law
 Rob.^t Eden

By the Upper House of
 Assembly Dec.^r 15th 1773
 Read and Assented to
 Signed by Order
 U. Scott Clk. Up. Ho:

26 Sides

The great Seal
 in Wax appendant

No. 11 An Act for the Sale of Lands late the Property of Caleb Dorsey
 p. 255 of Ann Arundel County deceased for Payment of Legacies.
 [A private act]

Whereas Charles Ridgely and Rebecca his Wife, Michael Pue and Mary his Wife, William Goodwin and Milcah his Wife, William Buchanan & Peggy his Wife, Samuel Dorsey and Eleanor Dorsey, by their humble Petition to this General Assembly have set forth That a certain Caleb Dorsey late of Ann Arundel County Iron Master deceased did by his last Will and Testament bearing Date on the fourteenth Day of March in the Year of our Lord Seventeen hundred and Seventy two amongst other Things give and bequeath to all the aforesaid Petitioners except Samuel Dorsey Considerable Pecuniary Legacies That the said Caleb Dorsey by his said Will did order and direct in Case his Personal Estate should not be sufficient to pay the abovementioned Legacies without Prejudice or Detriment to the Management working and carrying on to Advantage the Furnace called Elk Ridge Furnace and the Forge called Dorseys Forge, that his Land called Caleb Delight enlarged, also his Land called Timber Ridge, also his part of the Land called the Mill Frog and also his Part of the Furnace and Works at Curtis Creek should

be sold and the Monies arising therefrom applied in paying off and fully settling the said Mentioned Legacies and Bequests That the Personal Estate of the said Caleb Dorsey after the Payment of his Debts is by no means sufficient to pay off the abovementioned Legacies and Bequests That the said Caleb Dorsey in the intermediate time between the making his said Will and his Codicil hereafter mentioned did buy and purchase of a certain Alexan[der] Lawson of Baltimore County his third part of the said Furnace and Works at Curtis [Creek] that the said Caleb Dorsey by his Codicil bearing Date on the twenty first Day of May in the Year of our Lord seventeen hundred and seventy two did among other things give and devise unto his two Sons Edward Dorsey and the said Samuel Dorsey and their heirs to be equally divided between them to hold as Tenants in Common the aforesaid one third Part of said Furnace and Works at Curtis Creek. That the Furnace Dam was carried away some Years before the Death of the said Caleb Dorsey that there is no Iron Ore on the Lands that it has not been used for several Years owing to the Want of Ore and the Difficulty of securing the Dam that it would take a large Sum of Money to put the Works in Order to make Iron and the Yearly Purchase of Ore would be very expensive. That the said Edward Dorsey is an Infant under the Age of twenty one Years and therefore unable by Law to make and execute any valid Contract or Sale of and for his undivided sixth part of the said Furnace and Works at Curtis Creek. That it will greatly conduce to the Interest and Advantage of the said Edward Dorsey and the aforesaid Petitioners to sell and dispose of the said Furnace and Works and the Lands belonging thereto whole and entire or laid off in Parcels because the Selling them in undivided Parts or Parcels would greatly diminish the Value of the said Edward Dorsey's Undivided Sixth Part and render it totally unprofitable during his Minority, that no Person would become a Purchaser or if any did a far less Price would be obtained. And therefore prayed that they might be enabled to sell and dispose of the said Furnace and Works and the Lands belonging thereto and Execute a good and effectual Conveyance or Conveyances of the Same to the Purchaser or Purchasers thereof and his or their Heirs and the several Facts therein alledged appearing to this General Assembly to be true

Liber R. G.
1773

p. 256

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the said Petitioners or the Survivors of them in Case of Death be and they are hereby Authorized and empowered to sell and dispose of the said furnace and Works and the Lands thereto belonging whole and entire or laid off in Parcels at Public Sale and to convey the same in Fee to the Purchaser or Purchasers, Provided Notice of such Sale be published in the Maryland Gazette for six

Liber R. G. Weeks successively next befor[e su]ch Sale and the Monies arising
 1773 from such Sale shall be applied in Manner following that is to say
 one sixth part thereof shall belong to the said Edward Dorsey and
 shall be paid into the Hands of the Guardian of the said Edward
 Dorsey to be by him applied for the Use and Benefit of the said
 Edward in the same Manner as the Personal Estate of the said
 Edward by the Will of the said Caleb is directed and the Residue
 thereof shall be applied to the Payment of the Legacies and Bequests
 in the Will of the said Caleb mentioned and according to the said
 Will. Provided always that Nothing in this Act contained shall
 in any Manner affect the Claim or Remedy of any Creditor or
 Creditors of the aforesaid Caleb Dorsey Deceased

By the Lower House of Assembly Dec. ^r 15 th 1773 Read and Assented to Signed by Order Jn. ^o Duckett Clk. Lo: Ho: }	On behalf of the Right Honble the Lord Pro- prietary of this Province I will this be a Law. Rob. ^t Eden	{ By the Upper House of Assembly Dec. ^r 16 th 1773 Read and Assented to Signed by Order U. Scott Clk. Up. Ho:
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10 Sides

The great Seal
in Wax Appendant

No. 12 An Act continuing an Act Entitled An Act to remedy some Evils
 p. 257 relating to Servants—

[An Act to
remedy
some Evils
relating to
Servants
continued.] Be it enacted by the Right Honourable the Lord Proprietary
 by and with the Advice and Consent of his Governor and the Upper
 and Lower Houses of Assembly and the Authority of the same That
 an Act of Assembly of this Province Entitled an Act to remedy some
 Evils relating to Servants made at a Session of Assembly begun and
 held at the City of Annapolis the Eighth Day of May one thousand
 seven hundred and fifty be and is hereby continued and shall remain
 and be in full Force for and during the Term of seven Years and
 to the End of the next session of Assembly which shall happen after
 the End of the said seven Years—

By the Lower House of Assembly Dec. ^r 16 th 1773 Read and Assented to, Signed by Order John Duckett Clk. Lo. Ho	{ By the Upper House of Assembly Dec. ^r 14 th 1773 Read & Assented to Signed by Order U. Scott Clk. Up. Ho.
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On behalf of the Right Honble the Lord Proprietary of this Province I will this
 be a Law.

2 Sides

Rob.^t

The great Seal
in Wax appendant

Eden

No. 13 An Act continuing an Act entitled an Act for the Speedy Recovery
 [An Act for
the speedy
Recovery of
small Debts,
&c. con-
tinued.] of small Debts out of Court before one Justice of the Peace.
 Be it enacted by the Right Honourable the Lord Proprietary by
 and with the Advice and Consent of his Governor and the Upper
 and Lower Houses of Assembly and the Authority of the same That

an Act of Assembly of this Province entitled an Act for the speedy Recovery of small Debts out of Court before one Justice of the Peace made at a Session of Assembly begun and held at the City of Annapolis the fourth Day of October one thousand seven Hundred and sixty three be and is hereby continued and shall remain and be in full force for and during the Term of seven Years and to the End of the next Session of Assembly which shall happen after the End of the said seven Years—

Liber R. G.
1773

By the Lower House of Assembly Dec. ^r 16 th 1773 Read and Assented to Signed by Order Jn. ^o Duckett Clk. Lo Ho	{	By the Upper House of Assembly Dec. ^r 14 th 1773. Read and Assented to Signed by Order U. Scott Clk. Up Ho
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On behalf of the Right Hon^{ble} the Lord Proprietary of this Province I will this be a Law.

2 Sides

Rob.^t The great Seal
in Wax appendant Eden

No. 14 An Act continuing an Act entitled an Act for imposing an Additional Duty of two Pounds per Poll on all Negroes imported into this Province.

p. 258
[An Act for
imposing an
additional
Duty on Ne-
groes con-
tinued.]

Be it enacted by the right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province entitled an Act for imposing an Additional Duty of Two Pounds per Poll on all Negroes imported into this Province made at a session of Assembly begun and held at the City of Annapolis the fourth Day of October One thousand seven hundred and sixty three be and is hereby continued and shall remain and be in full force for and during the Term of seven Years And to the End of the next Session of Assembly which shall happen after the End of the said seven Years—

By the Lower House of Assembly Dec. ^r 16 th 1773 Read and Assented to Signed by Order Jn. ^o Duckett Clk. Lo: Ho:	{	On behalf of the Right Hon ^{ble} the Lord Pro- prietary of this Province I will this be a Law Rob ^t Eden	{	By the Upper House of Assembly Dec. ^r 16 th 1773 Read and Assented to Signed by Order U. Scott Clk. Up. Ho:
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2½ Sides

The great Seal
in Wax appendant

No. 15 An Act continuing an Act entitled an Act for the Gauge of Barrels of Pork Beef Pitch Tar Turpentine and Tare of Barrels of Flour or Bread—

[An Act for
the Gauge of
Barrels of
Pork, &c.
continued.]

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province entitled an Act for the

Liber R. G. Gauge of Barrels of Pork Beef Pitch Tar Turpentine and Tare of
1773 Barrels of Flour or Bread made at a Session of Assembly begun and held at the City of Annapolis the fifth Day of August one thousand seven hundred and forty five be and is hereby continued and shall remain and be in full force for and during the Term of seventy Years and to the End of the Next Session of Assembly which shall happen after the End of the said seven Years—

By the Lower House of Assembly Dec. ^r 16. th 1773 Read and Assented to Signed by Order Jn. ^o Duckett Clk. Lo. Ho	On behalf of the Right Honble the Lord Proprietary of this Province I will this be a Law Rob ^t Eden	{ By the Upper House of Assembly Dec. ^r 16. th 1773 Read and Assented to Signed by Order U. Scott Clk. Up. Ho:
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2½ Sides

The great Seal
in Wax appendant

No. 16 p. 259
[An Act to establish a Market in Frederick-Town continued.] An Act continuing an Act entitled “An Act to Establish a Market in Frederick Town in Frederick County and for the Regulation of the said Market.

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province entitled An Act to Establish a Market in Frederick Town in Frederick County and for the Regulation of the said Market made at a session of Assembly begun and held at the City of Annapolis the sixth Day of November one thousand seven hundred and seventy be and is hereby continued and shall be and remain in full Force for and During the Term of Seven Years and to the End of the next Session of Assembly which shall happen after the End of the said seven Years—

By the Lower House of Assembly Dec. ^r 16. th 1773 Read and Assented to Signed by Order Jn. ^o Duckett Clk: Lo: Ho:	On behalf of the Right Honble the Lord Proprietary of this Province I will this be a Law Rob. ^t Eden	{ By the Upper House of Assembly Dec. ^r 16. th 1773 Read and Assented to Signed by Order U. Scott Clk. Up. Ho.
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2½ Sides

The great Seal
in Wax appendant

No. 17
[An Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and its Supplementary Act, continued.] An Act continuing an Act entitled an Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law and the Supplementary Act thereto—

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That an Act of Assembly of this Province Entitled an Act for relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law made at a Session of Assembly begun and held at the City of Annapolis the twenty second Day of

June one thousand seven hundred and fourteen and the Supplementary Act thereto made at a session of Assembly begun and held at the City of Annapolis the third Day of October one thousand seven hundred and twenty eight be and are hereby continued and shall remain and be in full force for and during the Term of twenty one Years and to the End of the next Session of Assembly which shall happen after the End of the said twenty one Years.

By the Lower House of
Assembly Dec.^r 16,th 1773
Read and Assented to

Signed by Order
Jn.^o Duckett

Clk: Lo: Ho:

On behalf of the Right
Honble the Lord Proprietary of this Province—I will this be a Law
Rob.^t Eden.

By the Upper House of
Assembly Dec.^r 16,th 1773
Read and Assented to

Signed by Order
U. Scott Cl. Up. Ho.

2½ Sides

The great Seal
in wax appendant

No. 18 An Act for the Relief of the Poor in Saint Marys County—

p. 260

Whereas the Necessity, Number and continual Increase of the poor within said County is very great, and exceedingly burthensome, which might be greatly lessened, by a due Regulation and Employment of them—

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same, That there shall be an Alms and Work House erected built and set up in Saint Marys County at a Convenient Place therein at the General Charge and Expence of the said County of Saint Marys, and that the Justices of the said County Court for the Time being shall and they are hereby Authorized and impowered to Assess and Levy on the Taxable Inhabitants of said County at the Time of Laying their County Levy a Quantity not exceeding fifteen pounds of Tobacco by the Poll on each and every the Taxable Inhabitants of their said County in each of the Years of our Lord Seventeen hundred and seventy three Seventeen hundred and Seventy four and Seventeen hundred and Seventy five together with the Sheriffs Salary of five per Cent, for collecting the same; which said Assessments, so as aforesaid to be made and levied, shall be collected by the Sheriff of the said County from the several Taxable Persons who shall reside within the same, in the same manner as the Public and County Levies are collected and the said Tobacco when so as Aforesaid collected shall be paid by such Sheriff to such Trustees for the Poor or the Major Part of them as are by this Act appointed; who are hereby authorized and required to receive and apply the same to the Use and Purposes hereinafter directed.

[An Alms and Work-House to be erected in *St. Mary's* County.]

[Justices to levy 15 lb. of Tobacco per Poll, in 1773, 1774, and 1775, to be paid to the Trustees, &c.]

Provided always and be it enacted That it shall and may be Lawful [Proviso.] for the several and Respective taxable Inhabitants within the said County to pay and discharge the said several Assessments in Money

Liber R. G. in the same Manner as they are enabled to pay and discharge the
 1773 public or County Levy—

[Trustees.] And be it further enacted That for the Time being the five several persons hereafter named be and are hereby nominated appointed and names Trustees for the Poor within the said County and are empowered with full and sufficient Authority to discharge the several Offices Duties and Trusts reposed in and required of them by this Act That is to say Col.^o George Plater, Col.^o Abraham Barnes, Major Zachariah Bond, M.^r John Reeder, and M.^r James Jordan,

p. 261 The which Persons so nominated Appointed Authorized and named, for the County as aforesaid, or the Major Part of them in Case of the Death or Absence of any are hereby required, with all convenient Speed to meet at such Places within their County as to them shall seem meet to Qualify themselves for the Office of Trustees for the Poor of their County which they are to do by taking the several Oaths appointed by Law to be taken to the Government Signing the Oath of Abjuration and repeating and Signing the Test and also taking the following Oath to Wit I AB do swear That I will duly and faithfully discharge the Duties and Trusts committed to me as a Trustee for the Poor for Saint Marys County according to the best of my Skill and Knowledge and an Act of Assembly entitled An Act for the Relief of the Poor in Saint Marys County So help me God The which Oath is to be administered by any of the four Persons last named for the County to the Person first Named or in his Absence to any one of the three persons first named that shall be there present, the which Person being sworn as aforesaid shall administer the Oaths aforementioned to all the rest and so successively the Person first named that shall be present shall always administer the said Oaths, to any that have been absent, or that shall hereafter be elected and chosen pursuant to the Directions of this Act to supply the Place of any that shall be dead or removed out of the County, or of any who shall refuse or neglect to qualify and act as a Trustee when elected and chosen Pursuant to the Directions of this Act: And the aforesaid Persons or the Major Part of them being Sworn as aforesaid shall be constituted and Qualified

[Their oath]

[Trustees invested with Power and Authority as a Body politic, &c.]

as Trustees for the Poor of their said County and as such are hereby invested with full Power and Authority as a Body Politic, to plead and be impeaded, to sue and be sued, to defend and be defended, to answer and be answered by the Name of the Trustees for the Poor for Saint Marys County in all and every Cause Complaint and Action real personal or mixt of whatsoever kind or Nature it shall be, in any of the Courts of Judicature within this Province and by that Name they and any of them and their Successors shall and they are hereby enabled to take hold possess and enjoy any Gift Donation or Present which shall or may hereafter be given devised or bequeathed by any Person or Persons whatsoever, to them or any of

them for or towards the Support and Maintenance of the Poor in the said County and they or any of them may receive by way of Subscription any sum or sums of Money which shall or may be given for the better and more speedy promoting the Benefit and Good by this Act Intended and that they have full power authority lawful Capacity and ability to purchase take hold receive enjoy and have to them and their successors forever any Lands Tenements and Hereditaments not exceeding the yearly Value of One Thousand Pounds Sterling of any person or persons whatsoever and are hereby Impowered and Authorised to Use one common Seal in their Business relating to the said Corporation and the same if necessary to change and alter and that the said Persons so incorporated the longest Livers and successors of them shall be the true sole and undoubted Trustees in Perpetual Succession forever to be continued in way and manner hereafter specified, with full and absolute Power Liberty and Authority in the making and ordaining such Laws Orders and Rules for the better relieving regulating and setting the Poor to work and punishing Vagrants Beggars Vagabonds and other Offenders and for the good Government of the said Alms and Work House in their said County as to them and their successors shall from Time to Time seem most fit and Requisite all which shall be observed by the Overseer of such Alms and Work House and by all poor Beggars Vagrants Vagabonds and other Offenders in such Alms and work House under the Penalties therein contained

Liber R. G.
1773

p. 262

Provided always That the said Rules Laws and Orders be no wise contrary to the Laws of this Province [Proviso]

And to perpetuate the succession of the aforementioned Number of five Trustees for the Poor in the said County Be it enacted that as often as any one of the said Trustees for the Poor shall die remove himself out of the County refuse to Qualify himself by taking the Oaths aforesaid or become incapable of acting the Trustees for the Time being then surviving and remaining within the said County or the Major Part of them are hereby authorized and required to elect Nominate and choose one of the Principal and better Sort of the Inhabitants of the County into the Place and Room of such Trustee and so to fill up the full Number of Trustees for each Alms and Work House, the which Persons so elected and chosen from Time to Time are always to be qualified in the same Manner as before by this Act is directed.

[In Case of
Death or
Refusal to
act, remain-
ing Trustees
to choose
others in
their Room.]

And be it further enacted That every Person by this Act appointed as a Trustee for the Poor or that shall hereafter be nominated and appointed as such pursuant to the Directions hereof and who shall wilfully refuse or delay to take upon him the said Office, shall forfeit and pay for every such Refusal or Delay the sum of Ten Pounds Current Money Provided that no Member of the Upper or Lower House of Assembly Clergyman Attorney or Practising Physician

[Penalty on
refusing to
act as
Trustee.]

p. 263

Liber R. G. be obliged to accept of the Office of Trustee aforesaid or forfeit as
1773 aforesaid, for refusing to accept and take upon him the same And that no Provincial or County Magistrate or Sheriff or any one who hath not the Qualification to be a Member of the Lower House of Assembly if elected shall be capable to be chosen or act as a Trustee aforesaid nor shall any Person be compellable to serve in less than three Years after he hath served or paid the said forfeiture for not serving as a Trustee aforesaid :

[Trustees to draw on the Sheriff for as much Tobacco as they shall think necessary, for the Uses directed by this Act.] And for enabling the said Trustees to purchase Land and erect an Alms and work House in the said County Be it enacted that the said Trustees or the Major Part of them be and they are hereby authorised and impowered from Time to Time as Occasion shall require to draw upon the sheriff of Saint Marys County in whose hands the Tobacco aforesaid so as aforesaid to be assessed and Levied or such Part thereof as shall by Virtue of this Act be so assessed and Levied shall remain for so much of the said Tobacco as the said Trustees or the Major Part of them shall from Time to Time think it necessary to draw for the Uses and Purposes directed by this Act

[Trustees to purchase Land to build an Alms and Work-house ;] And be it further enacted That the said Trustees or the Major Part of them appointed as aforesaid shall and they are hereby authorised directed and required to buy and purchase in Fee a Quantity of Land in the said County not exceeding one hundred Acres And the said Trustees or the Major Part of them appointed as aforesaid are hereby authorised directed and required to agree and contract with a Workman or Workmen to undertake erect build and in a Wor[k]man-like Manner, to complete and finish on the said Land when so purchased good strong sufficient and convenient Houses Habitations and Dwellings for the Reception of the Poor of said County and of such Vagrants Beggars Vagabonds and other Offenders as shall be committed by Virtue of this Act and they shall appropriate one Part thereof to be called the Alms House to and for the Reception and Lodging of the Poor of the said County and another Part or Parts thereof to be called the Work House to and for the Reception and Lodging of all such Vagrants Beggars Vagabonds and other Offenders as shall be committed by Virtue of this Act and the aforesaid Land when bought and the aforesaid Houses Habitations and Dwellings when built shall be and they are hereby enacted and Declared to be vested in the said Trustees as their Estate and Inheritance for the Uses and Purposes by this Act directed and expressed

p. 264 [And Beds, working Tools, &c. for the Use and Employment of the Poor, &c.] And be it further enacted That the said Trustees or the Major Part of them appointed as aforesaid shall and they are hereby authorised directed and required after the Houses Habitations and Dwellings aforesaid shall be completely erected and finished to buy and purchase for the Use and Employment of the Poor, Vagrants and Beggars Vagabonds and other Offenders who shall be com-

mitted by Virtue of this Act sufficient Beds Bedding Working Tools Kitchen Utensils Cows Horses and other Necessaries—And the said Trustees are hereby directed and required to purchase the said Quantity of Land not exceeding one hundred Acres as near and convenient as may be to Leonard Town in said County. And the said Trustees are hereby obliged directed and required to keep a fair distinct and clear Account in Writing of all the Monies by them expended and paid by Virtue of this Act and to return a true Copy thereof and shew and produce the Vouchers to support the same to the Justices of the said County at their November Court to be by the said Justices inspected and Examined.

Liber R. G.
1773

[And to keep an Account of the Monies by them expended, to be examined by the Justices at their November Court]

And be it further enacted That after the Expiration of the said three Years the Justices of Saint Marys County Court aforesaid of the Time being shall and they are hereby impowered to assess and Levy on the Taxable Inhabitants of the said County at the Time of Laying their County Levy a Quantity of Tobacco not exceeding fifteen pounds by the Poll on each and every of the Taxable Inhabitants in the said County together with the Sheriffs salary of five per Cent for collecting the same which said Assessment shall be made levied collected and paid in the same Manner as herein before by this Act is directed which said Tobacco when so as aforesaid collected shall be paid by the Sheriff to the Order of such Trustees or the Major Part of them under their common seal who are hereby Authorised and required to receive and apply the same to and for the Use Benefit and Charge of maintaining the Poor Vagrants Beggars Vagabonds and other Offenders in the Purchasing Provisions and other Necessaries for Use and Labour in paying a Doctor for his Salary and Medicines in providing Men and Women Servants to be under the Management and Direction of an Overseer of such Alms and Work House hereafter to be appointed: and in purchasing Material for the Use and Employment of all the Poor and all Beggars Vagrants Vagabonds and other Offenders who shall be able to work and who shall be committed by Virtue of this Act.

[Justices to levy 15 lb of Tobacco per Poll for maintaining the Poor, &c.]

p. 265

And be it further enacted That the said Trustees or the Major Part of them shall and they are hereby authorised obliged directed and enjoined to meet together on the first Monday in May Yearly and at all such other Times as they shall judge Necessary at the Alms and Work House in said County during the Continuance of this Act to appoint a fit Person to be Overseer of the Alms and Work House in the said County and other proper Officers and Servants as to them shall appear necessary for carrying on the Business of the said Corporation and they or the Major Part of them shall and may agree and they are hereby impowered to pay the said Overseer as a Salary out of the Tobacco and Money raised and collected as aforesaid a Sum not exceeding Eighty Pounds Current Money per Annum and so pro rata during his Continuance in Office and shall

[Trustees to appoint an Overseer and other Officers, &c.]

Liber R. G. then take and the said Overseer and every other Overseer to be
 1773
 [Overseer appointed shall and he is hereby obliged to enter into a Bond with
 to enter sufficient Sureties in the Penalty of two hundred pounds Current
 into a Bond, Money payable to the said Trustees for the Poor Conditioned as
 in Penalty follows to Wit The Condition of the above Obligation is such That
 of 200 l. if the above bound AB as Overseer of the Alms and Work House
 Current Money.] in S.^t Marys County shall well and truly discharge his Duty in the
 [The said Station and more particularly according to the Directions of the
 Condition.] Acts of Assembly Entitled an Act for the Relief of the Poor in Saint
 Marys County then the above Obligation to be void otherwise to
 remain in full force and Virtue in Law.

[Trustees to remove the Overseer, at their Discretion, and appoint others.] And be it further enacted That the said Trustees or the major Part of them shall and they are hereby directed and impowered to remove such Overseer and all other Officers by them to be appointed in Pursuance of this Act at their Discretion and to choose others in their Place and Stead—

[And to make Ordinances, &c. for the Government and Support of the Alms and Work-House, &c.] p. 266 And be it further enacted That the said Trustees or the Major Part of them shall and they are hereby directed and enjoined to meet at the Alms and Work House in said County four Times in the Year in the first Week of February May August and November or oftener if it should by them be deemed Necessary to make and ordain by a Majority of Votes of such as may be present all such good and wholesome Ordinances Rules and Bye-Laws as they shall think convenient and Necessary for the Direction Government and Support of such Alms and Work House and also for the Maintenance and Employment of all such poor Persons as shall be taken under their Care and of all Vagrants Beggars Vagabonds and other Offenders that shall be committed thereto by Virtue of this Act all which Ordinances Rules and Bye Laws shall be from Time to Time inviolably observed by all Persons concerned according to the Tenor and Effect thereof

[Overseer to keep Lists of the Poor, &c. to be laid before the Trustees;] And be it further enacted That the Said Overseer shall keep a fair and Regular List of all poor Beggars Vagrants Vagabonds and other Offenders who shall be committed to the said Alms and Work House and also fair and Regular Accounts in writing of all Materials and other Things coming to his Hands as Overseer aforesaid and of all Expences and Charges attending their Maintenance and Support and of all Monies received by him for the sale of the produce of their Labour and otherwise as Overseer aforesaid and shall lay the said Lists and Accounts before the Trustees or the Major Part of them at their Meetings at the Times by this Act directed or oftener if by them required

[And compel those to work who are able, &c.] And be it further enacted That the said Overseer may compel and oblige any of the said Poor Beggars Vagrants and Vagabonds or other Offenders in his Alms and Work House if of sufficient Ability to work to Labour and Work and the Produce of their

Labour he is hereby directed and impowered to Sell and apply the Money arising from such sale to their Maintainance and Support

Liber R. G.
1773

And be it further enacted That upon Complaint made, that any Person from his or her Disorderly Conduct gives Disturbance to his or her Neighbourhood and is likely to become chargeable to the said County it shall and may be Lawful for any one Magistrate of the said County if upon hearing the Party he shall Adjudge the Complaints to be well founded to commit such Disorderly Person residing within the said County to the said Work House for any Time not exceeding three Months unless he or She should find Security at the Discretion of the Magistrate aforesaid in any Sum not exceeding twenty Pounds Current Money for his or her good Behaviour and more orderly Demeanor during the Space of six Months and also upon Complaint and due proof made by any one Trustee for the poor or the Overseer of said Alms and Work House to any one Magistrate of the said County that any Person in the said Work House hath behaved and demeaned him or herself in a disorderly manner or hath refused or neglected to do and perform his or her daily Labour and Task or hath refused or neglected to obey keep and observe any of the Ordinances Rules and Bye Laws of the said Corporation to order and direct such moderate and proper Correction not exceeding thirty nine Lashes for any one Offence to be given to such Offender as the Nature of the Case shall require

[Disorderly Persons to be committed to the Work-House, &c.]

p. 267

And be it further enacted That it shall and may be Lawful to and for any of the said Trustees to direct and appoint under their Hand in Writing what Poor shall be received into such Alms and Work-House and it shall and may be Lawful for any one Justice of the Peace for the said County and for any Person Authorised and appointed by such Justice to apprehend or cause to be apprehended and committed to the said Work House any Rogues Vagrants Vagabonds Beggars and other idle dissolute and disorderly Persons found Loitering or residing in the said County who follow no Labour Trade Occupation or Business and have no visible means of Subsistence whereby to acquire an honest Livelihood there to be kept at hard Labour for any Term not exceeding three Months and the Overseer of such Alms and Work House is hereby required to receive any Poor appointed as aforesaid to be received and any Rogue Vagrant Vagabond Beggar and other idle dissolute and disorderly Person so as aforesaid committed and employ them according to the Tenor of such Commitment

[Trustees to direct what Poor shall be received.]

[Justices to commit Rogues, &c to hard Labour.]

And be it further enacted That every Person who shall be received into the said Alms or Work House and there receive Relief shall upon the Shoulder of the Right Sleeve of the Uppermost Garment of every such Person in an open and visible Manner wear such Badge or Mark as is herein after mentioned and expressed

[Persons received into the Alms or Work-House to wear a Badge.]
p. 268

Liber R. G. That is to say. A large Roman P. together with the first Letter of
1773 the Name of S.^t Marys County cut either in Red or Blue Cloth as
by the Overseer of the Poor shall be directed and appointed and if

[Punish-
ment on Ne-
glect or
Refusal.]

such Poor Person shall neglect or refuse to wear such Badge or
Mark as aforesaid and in Manner as aforesaid it shall and may be
Lawful for any one of the Trustees aforesaid to punish every such
Offender for every such Offence either by Ordering his or her
Relief or usual Allowance to be abridged suspended or withdrawn
or otherwise by ordering such Offender to be whipt not exceeding
twenty Lashes and kept to hard Labour for any Number of Days
not exceeding twenty one as to the said Trustee shall seem meet and
if any Overseer of the Poor shall receive into the said Alms and
Work House or shall relieve any such Person not having and
wearing such Badge or Mark as aforesaid and be thereof convicted
upon the Oath of one or more credible Witness or Witnesses shall
forfeit and pay the Sum of Five Pounds Current Money—

[Penalty on
the Overseer
receiving or
relieving
such
Persons.]

[Penalty on
Persons sell-
ing strong
Liquors,
&c. to the
Poor, or
others en-
tertained in
the Alms or
Work-
House.]

And be it further enacted That whosoever shall presume either to
set up a Booth Stall or other Convenience for the selling of strong
Liquors on the Land purchased for the Use of the said Alms or
Work House or shall commit any kind of Trespass thereon or shall
sell or dispose of any strong Liquor or other matter or thing what-
soever to any poor or other Person entertained in said Alms and
Work House shall for every such Offence forfeit and pay the Sum
of Ten pounds Current Money

[Penalties
inflicted by
this Act to
be recovered
in the
County
Court, &c.]

And be it further enacted that all and every the Pains Penalties
and forfeitures herein before by this Act directed and inflicted shall
and may be recovered in the County Court of said County by Action
of Debt founded on this Act or Indictment wherein no Essoine Pro-
tection or Wager of Law, or more than one Impar lance shall be
allowed any thing in this Act herein before contained to the con-
trary thereof in any wise Notwithstanding one Moiety to the In-
former the other Moiety to the Use of the Alms and Work House
of said County in which Actions of Debt it shall be sufficient for
the Plaintiff to alledge that the Defendant or Defendants are indebted
to the Plaintiff the Sums of Money or Tobacco by this Act directed
and inflicted whereby the Plaintiff's Action accrued to him according
to the Form of this Act of Assembly without setting forth the Special
Matter Provided a Short Note expressing the Cause of Action be
lodged in the Office at the Time of issuing the Writ

p. 269

[Sheriffs,
&c. to aid
and assist
the Trus-
tees, &c.]

[Persons
prosecuted
in pursu-
ance of this
Act may
plead the
general Is-
sue, &c.]

And be it further enacted That all Sheriffs Bailiffs Constables and
all other Officers and Ministers of Justice shall be aiding and Assist-
ing to the said Trustees for the poor in the said County and to all
such Officers as shall be employed by them as by this Act is directed
in the Execution and Performance of the said Service

And be it further enacted That if any Person or Persons shall at
any Time or Times be sued or prosecuted for any Matter or thing

by him or them done and executed in pursuance and Execution of this Act or of any Matter or thing in this Act contained such Person or Persons shall and may plead the General Issue and give this Act and the Special Matter in Evidence for his or their Defence and if upon Trial a Verdict shall pass for the Defendant or Defendants or if the Plaintiff or Plaintiffs shall become non suited, or discontinue his or their suit then such Defendant or Defendants shall have and recover Treble Costs to him or them awarded against such Paintiff or Plaintiffs and if the Plaintiff or Plaintiffs is or are unable to satisfy the same then it shall be paid and satisfied by the Attorney who brought such suit unless the Plaintiff or Plaintiffs shall give Security for the Costs to be approved of by the Courts in which such suit is brought

Liber R. G.
1773

And to prevent Individuals being unreasonably burthened with the Execution of this Act as Trustees for the Poor Be it enacted That at the Time of their meeting of the said Trustees for the poor in the first Week of May Yearly the said Trustees or the Major Part of them in the County aforesaid shall and may elect and choose one of the best Inhabitants of the same County to be a Trustee for the poor of that County in the stead of the first named or eldest of the said Trustees of the same County which said first named or Eldest Trustee shall be and is by Virtue hereof thence from Discharged from his Office.

[Trustees to choose a new one yearly instead of the first named Trustee.]

p. 270

And be it further enacted That in all Cases upon Complaints of the Overseer of said Workhouse or of any other Workhouse in this Province to any Trustee for the Poor of such Workhouse that any Rogue Vagrant Vagabond or other idle dissolute and disorderly Person thereto committed and therein remaining hath behaved and demeaned himself in a Disorderly Manner or hath neglected and refused to do and perform his or her daily Labour and Task or hath neglected or refused to obey keep and observe any of the Ordinances Rules and Bye-Laws of the said Corporation it shall and may be Lawful for such Trustee to order and direct such moderate and proper Correction not exceeding thirty nine Lashes for any one Offence to be given to such Offender as the Nature of the Case shall require—

[Rogues, &c. committed to the Work-House behaving in a disorderly Manner, to be corrected.]

By the Lower House of
Assembly Dec.^r 16.th 1773
Read and Assented to
Signed by Order
Jn.^o Duckett Clk. Lo. Ho.

On behalf of the Right
Hon^{ble} the Lord Pro-
prietary of this Province
I will this be a Law
Rob.^t Eden

By the Upper House of
Assembly Dec.^r 16.th 1773
Read and Assented to
Signed by Order
U. Scott Clk. Up. Ho.

The great Seal
in Wax appendant

No. 19 An Act to render the Recovery of the Penalty for selling Liquor
 Liber R. G. without Licence more certain.
 1773

Whereas by the Act entitled An Act for Licensing Ordinary Keepers Hawkers Pedlars and Petty Chapmen the Penalties there imposed on Persons selling Liquors contrary thereto are directed to be recovered before a Justice of the Peace which Mode of Recovery is found by Experience to be inadequate for the Purpose—

[Preamble.]
 [Penalty for
 selling Liq-
 uors with-
 out Licence
 to be recov-
 ered in the
 County
 Court.]

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that the Penalty inflicted for selling Liquors without Licence contrary to the Directions of the said Act may be recovered according to the same Act or by Indictment in the County Court of the County where the Offence shall be committed. And for the better Discovery of Offenders

[Clerks of
 Counties to
 deliver Lists
 of Persons
 licenced to
 the Grand
 Juries, &c.]

Be it enacted That the Clerk of the several County Courts shall at every such Court at the Time of impanelling the Grand Jury deliver to them a List of all Persons in his County to whom Licences shall have been granted and shall be allowed in the Public Levy for his Trouble therein at the Discretion of the Justices of his County And it is hereby enacted and Declared to be the Duty of the Grand Jury to present every Person offending against the said Act and the Constables shall be sworn up at every County Court to the Grand Jury.

No. 20 An Act to regulate the Criminal Business of Baltimore County—
 p. 271
 [Preamble.]

Whereas it is found by Experience from the great Multiplicity of the Criminal and Civil Business of Baltimore County that it is impracticable to execute the same within the Space of one Week for Remedy whereof for the future

[Justices of
 Baltimore
 County to
 hold a
 Court for
 the Trial of
 Felonies, &c.
 on the Mon-
 day before
 the first
 Tuesday in
 February,
 June, and
 October
 yearly, &c.]

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That it shall and may be Lawful for the Justices of Baltimore County Court or any three of them and they are hereby directed and required to meet on the Tuesday before the Monday preceding the first Tuesday in the Months of February June and October yearly during the Continuance of this Act at the Court House of the said County and then and there hold a Court for the Trial of all Felonies and other Crimes Offences and Misdemeanors which by Law are triable or determinable in the County Court of the said County and they or any three of them shall and may at the Respective Times in this Act mentioned hear try and determine all Felonies and other Crimes Offences and Misdemeanors of what Nature or Quality soever which by Law are cognizable and determinable in the

County Court for the said County and shall have full Power and Authority to hear and determine all Disputes between Masters and Servants or Apprentices and they are hereby invested fully and amply with all the Authority Power and Jurisdiction of any County Court of this Province for the Purposes aforesaid and may adjourn the said Court and all Process and Proceedings therein depending from Day to Day or in such other Manner as they in their Discretion shall think convenient and the Sheriff of the said County for the Time being his Bailiffs and Deputies and all Constables and other Officers and all other Persons whatsoever shall yield due Obedience to all Process Precepts and Warrants that shall be issued by or returnable before the said Justices

Liber R. G.
1773

And be it enacted That all Causes pleas Process and Proceedings relative to the Trial of all Felonies and other Crimes Offences and Misdemeanors whatsoever that shall be depending in the said County Court after the Adjournment of the next November County Court for the said County shall be and are by Virtue of this Act directed to be heard tried and determined before the Justices aforesaid any Law Usage or Custom to the Contrary Notwithstanding

[Causes, &c. depending in the County Court to be tried before the said Justices.]

And be it enacted That the County Clerk of the said County for the Time being shall be the Clerk of the said Court and shall make all Entries and transact all the other Business of the said Court in the same manner as he is now by Law obliged to transact the Business of the County Court of the said County

[County Clerk to be Clerk of said Court.]

And be it enacted That the Sheriff of the said County for the Time being shall summon forty eight good and Lawful Men of his Bailiwick six Days before the Days appointed by this Act for the holding of the said Court as Grand and Petit Jurors and shall return a Pannel of them accordingly and if the said Sheriff shall neglect to summon and return the best and most capable Men in his Bailiwick for Grand and Petit Jury men he shall for every such Neglect be fined by the said Justices a Sum not exceeding three thousand Pounds of Tobacco rating Tobacco at ten Shillings per hundred to be applied towards defraying the Charge of the said County and every Person who shall be so summoned and shall neglect or refuse to appear at the Day but make Default shall be fined by the said Justices five hundred Pounds of Tobacco to be rated and applied as aforesaid and every Grand and Petit Juror shall have an Allowance of twenty four Pounds of Tobacco for every Days Attendance to be assessed in the County Levy and each of the said Justices shall be allowed sixty four pounds of Tobacco for every Days Attendance to be assessed in the County Levy

[Sheriff to summon Grand and Petit Jurors, &c.]
p. 272

[Penalty on Neglect.]
[Penalty on Persons summoned neglecting to appear.]
[Allowance to Jurors and Justices for their Attendance.]

And be it enacted that all Commitments and Recognizances for all Felonies and other Crimes Offences and Misdemeanors committed in the said County and triable by Law in the County Court of the

[Commitments and Recognizances to be returned the Day before the Day appointed for holding Courts, &c.]

Liber R. G. 1773 said County shall be returned by the Magistrate taking such Recognizance before the Justices aforesaid and shall be lodged by the said Justice with the Clerk of the said County on the Day before the Day appointed for the holding of the said Court and the Offenders and Witnesses shall be obliged to appear by Virtue of such Recognizances accordingly

[Witnesses making Default to be fined and compelled to attend.] And be it enacted that every Person summoned as a Witness to attend the said Court and making Default shall be fined by the Justices aforesaid in their Discretion a Sum not exceeding one thousand pounds of Tobacco to be rated and applied as aforesaid and on Default of any Witness the said Justices may award Process of Attachment and by Virtue thereof the Sheriff of the said County shall be obliged to have the Body of such Witness and may compel his Attendance before the same Justices

[Allowances to Witnesses for their Attendance.] And be it enacted That it shall and may be Lawful for the said Justices to allow to every Person legally summoned to give Evidence before them Twenty four Pounds of Tobacco for every Days Attendance and if such Witness resides out of the said County the said Justices may allow him for so many Days itinerant Charges as they shall think reasonable at the Rate of forty Pounds of Tobacco per Day and the same shall be paid in the same Manner as Allowances to Witnesses in Criminal Cases are by Law directed to be paid.

[Continuance.] This Act to continue for two Years and unto the End of the next Session of Assembly which shall happen after the End of the said two Years.

By the Lower House of
Assembly Dec.^r 18.th 1773
Read and assented to
Signed by Order
Jn.^o Duckett Cl. Lo. Ho.

On Behalf of the right
Honble the Lord Proprietary of this Province
I will this be a Law
Robert Eden

By the Upper House of
Assembly Dec.^r 18.th 1773
Read and assented to
Signed by Order
U Scott Clk Up. Ho.

10½ Sides

The great Seal
in Wax appendant

No. 21 *p. 273*
[Preamble.] An Act for an Addition to Baltimore Town in Baltimore County—
Whereas John Moale and Andrew Stigar of Baltimore Town by their humble Petition to this General Assembly have set forth That the said John Moale is seised in fee simple of a Lot of Land lying contiguous to the said Town and bounded in the following Manner Beginning at the East Corner of the Lot of Land Number Sixty five on Bridge Street in the first Addition to Baltimore Town on the East Side of Jones's Falls and running thence North forty nine Degrees East twenty Perches North forty one Degrees West fifty two Perches South fifty eight Degrees West twenty Perches and the fourth Part of a Perch unto the North Corner of the Lot of Land Number seventy one in the aforesaid Addition to Baltimore Town and then bounding on and with the said Addition

unto the Place of Beginning containing six Acres and one hundred and ten Square Perches more or less. That the said Andrew Stigar is seised in fee simple of a Lot or Parcel of Land adjacent to the said Lot of Land of the said John Moale and bounded as follows. Beginning at the End of the Line "North forty nine Degrees East twenty Perches" of the said John Moale Lot and running from thence North twenty six Degrees and forty five Minutes East sixty eight Perches South Seventy Seven Degrees West thirty nine Perches and the fourth Part of a Perch South sixty three Degrees West twenty nine Perches and half a Perch unto the End of the Line "North forty one Degrees West fifty two Perches" of the said John Moale's Lot aforesaid and then bounding on that Line reverse of the same unto the last aforesaid Place of Beginning containing Eleven Acres and fifty six Square Perches more or less. And that they were desirous of Annexing the said Parcel of Land to the said Town and therefore prayed that a Law might pass for that Purpose and it appearing to this General Assembly that to extend the Limits of the said Town would contribute to promote the Trade and Commerce thereof.

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Commissioners of Baltimore Town or the Major Part of them do and they are hereby directed and required at any Time before the last Day of April next to cause the aforesaid Parcel of Land to be Surveyed and laid out into Lots Streets and Lanes at the proper Costs and Expences of the said John Moale and Andrew Stigar according to their Respective Number of Acres in such Manner as to the said Commissioners or the Major Part of them shall seem convenient and that when the same shall be done the said Parcel of Land shall be and is hereby declared to be part of Baltimore Town aforesaid to all Intents and Purposes as fully and amply as if originally included therein and have the same Immunities and Privileges as the said Town by any Law or Laws heretofore made ought to have.

[The Land of John Moale and Andrew Stigar to be laid out in Streets, &c. to be Part of Baltimore-Town.]

By the Lower House of
Assembly Dec.^r 18.th 1773
Read and Assented to
Signed by Order
Jn.^o Duckett Clk. Lo: Ho

On Behalf of the Right
Honble the Lord Proprietary of this Province
I will this be a Law
Rob.^t Eden

By the Upper House of
Assembly Dec.^r 18.th 1773
Read and Assented to
Signed by Order
U. Scott Clk. Up. Ho.

No. 22 An Act for the Speedy and Effectual Publication of the Laws of this
 Liber R. G. Province and for the Encouragement of Anne Catharine Green
 1773 of the City of Annapolis Printer—
 p. 274

[Allowance Be it enacted by the Right Honourable the Lord Proprietary by
 in Tobacco and with the Advice and Consent of his Governor and the Upper
 to A. C. and Lower Houses of Assembly and the Authority of the same
 Green,] That there shall be allowed to Anne Catharine Green of the City
 of Annapolis Printer the Several and Respective Quantities of Tobacco
 [in the In Baltimore County six thousand three hundred and forty Ann
 several Counties.] Arundel County four thousand two hundred and fifty Charles
 County Three Thousand six hundred and four Prince George's
 County Three Thousand eight hundred and forty Frederick County
 Six Thousand two hundred and Thirty three Queen Anns County
 Three thousand four hundred Saint Marys County two thousand
 eight hundred and sixty eight Dorchester County three thousand
 three hundred and seventy Kent County Two thousand five hundred
 and sixty seven Talbot County two thousand four hundred and
 thirty four Somerset County two thousand six hundred and two
 Worcester County two thousand six hundred and seventy Cecil
 County two thousand one hundred and twenty one Calvert County
 seventeen hundred and one which said Respective Sums of Tobacco
 the Justices of the several County Courts within this Province are
 hereby impowered and required to allow and Assess in their Respec-
 tive County Levys annually during the Continuance of this Act
 together with the Sheriff's Salary of five per Cent for collecting the
 same And the several Quantities of Tobacco so to be allowed and
 Assessed as aforesaid shall be collected by the Sheriff of each Re-
 spective County and Yearly paid by them respectively free from
 any Abatements or Deduction to the said Anne Catharine Green or
 her Order for printing Stitching covering with Marble or Blue
 Paper and delivering a Copy of the Public Laws made in this present
 Session of Assembly by the Tenth Day of May in the Year one
 thousand seven hundred and seventy four And the Votes and Pro-
 ceedings of the Lower House of Assembly of this present Session
 by the tenth Day of June in the Year Seventeen hundred and seventy
 four and also a Copy of the Laws of any future Session within three
 Months and of the Votes and Proceedings of the Lower House of
 Assembly within four Months respectively after the End of every
 such Session during the Continuance of this Act to the Governor
 and each Member of the Upper and Lower Houses of Assembly
 and one Book of the Votes and Proceedings to the Clerk of each
 House and three Books of the Votes and Proceedings aforesaid
 to the Clerks of the several and Respective County Courts for the
 Perusal of the Inhabitants of the several and respective Counties
 and a Copy of the Public Laws during the Continuance of this Act

[Her Duty
 for such
 Allowance.]

to every Provincial and County Magistrate and a Copy of each Law bound up in Leather to each House of Assembly the High Court of Appeals the Provincial Court and to each County Court within this Province unless She shall be hindered by the Death of her Hands employed in the Press or by Sickness or the unavoidable Accident of her Press Breaking.

Liber R. G.
1773
p. 275

And be it likewise enacted That if it should happen that in any Year during the Continuance of this Act there should not be any Session of Assembly held within this Province whereby the said Anne Catharine Green may be enabled to print Laws and deliver them within such Year that then and in such Case there shall be allowed to the said Ann Catharine Green the Several and Respective Quantities of Tobacco in the several Counties within this Province following to Wit In Baltimore County four thousand seven hundred and fifty five Anne Arundel County three thousand one hundred and Eighty Eight Charles County two thousand seven hundred and three Prince Georges County two thousand Eight hundred and Eighty Frederick County four thousand Six hundred and Seventy five Queen Anns County two Thousand five hundred and fifty Saint Marys County two thousand one hundred and fifty one Dorchester County two thousand five hundred and twenty Eight Kent County one thousand nine hundred and twenty six Talbot County one thousand Eight hundred and twenty six Somerset County one thousand Nine hundred and fifty two Worcester County two thousand and three Cecil County fifteen hundred and ninety one Calvert County twelve hundred and seventy six which said Respective Quantities of Tobacco last aforementioned together with the Sheriffs Salary of five per Cent for collecting the same the said Justices of the several County Courts within this Province are hereby impowered and required to allow and Assess in their Respective County Levy, and shall be by the respective Sheriffs collected and Yearly paid to the said Anne Catharine Green in Manner and form aforesaid for her better Support and Encouragement in Serving this Province and residing within the same.

[Her Allow-
ance in case
of no
Session.]

Provided always and be it hereby enacted That it shall and may be Lawful for the Taxable Inhabitants of this Province upon whom the above Quantities of Tobacco shall be Assessed to discharge and Pay the same in the same Manner as Public and County Levies are collected and paid

[To be paid
in the same
Manner as
Public and
County
Levies.]

Provided always that the said Ann Catharine Green shall actually reside at Annapolis during the Continuance of this Act and comply with the Terms thereof and that upon the Death of the said Ann Catharine Green or her Removal from Annapolis or ceasing to comply with the Terms of this Act on her part the Payment of the Sums of Money herein before directed to be paid to her shall cease any thing contained in this Act to the Contrary Notwithstanding

[Proviso in
case of her
Death or
Removal.]

Liber R. G. And be it enacted that the Copy of the Public Laws made this
 [The Laws¹⁷⁷³ present session of Assembly as well as those made at any future
 to have Session during the Continuance of this Act shall have Marginal
 marginal Notes made and printed thereto as also the Date of the Year wherein
 Notes, &c.] such Laws were Respectively made inserted in Each Page and a
 List of such Laws made at the End of Each session with the page
 p. 276 wherein they are printed all which the said Anne Catharine Green
 is hereby required and obliged to do as well as all other Services
 herein before mentioned for the Yearly Salary aforesaid

[Proviso in case of Failure of Duty.] Provided always that it shall and may be Lawful for the Sheriffs
 of the Several and Respective Counties Respectively and they are
 hereby required not to pay to the said Anne Catharine Green the
 Respective Quantities of Tobacco herein before mentioned or any
 Part thereof to be Assessed and Levied for her Use for her Salary
 for this Present or any future Year during the Continuance of this
 Act unless it shall be made appear to them by Certificate or Receipt
 from the Sheriff of Ann Arundel County for the Time being, that
 the Public Laws and the Votes and Proceedings of this Session and
 every future Session or Convention during the Continuance of this
 Act were printed and delivered to him within the Respective Times
 herein before directed any thing herein before contained to the
 Contrary in any wise Notwithstanding

[Laws and Votes to be forwarded as public Letters.] And be it further enacted That the several and Respective Sheriffs
 within this Province shall and they are hereby directed and required
 to receive and forward the said Laws with the Votes and Proceed-
 ings aforesaid to the Clerks of the several County Courts and Mem-
 bers of each House of Assembly as Public Letters are by the Laws
 of this Province directed to be forwarded

[Three Hundred and Twenty Pounds of Tobacco per Annum to be allowed for each Inspection, for supplying Books and Notes; and 30 lb. for a copy of each Inspection Law.] And be it further enacted That from and after the first Day of
 November next Anne Catharine Green of the City of Annapolis
 Printer shall be allowed by the Several and Respective County Courts
 at the Laying of their County Levy the Quantity of three hundred
 and twenty Pounds of Tobacco per Annum for each Inspection
 Respectively for printing and delivering a sufficient Number of
 Books Notes and Manifests for the Inspectors of each Inspection
 within their Counties Respectively and also the further Quantity
 of thirty pounds of Tobacco at their County Levy in the Year one
 thousand seven hundred and seventy four for each Inspection in
 their Respective Counties for printing and delivering one Copy of
 the Act for the Regulation of the Staple of Tobacco and for pre-
 venting Frauds in his Majestys Customs stitched and covered with
 Marble or Blue Paper to and for the Use of each Inspection by the
 tenth Day of April next to be levied and paid as aforesaid

[Her Allowance for her Services this present Year.] And be it enacted That there shall be allowed to the said Anne
 Catharine Green for her Services in this present Year the Several and

Respective Quantities of Tobacco in the several Counties in this Province to wit: In Baltimore County Six thousand three hundred and forty. Ann Arundel County four thousand two hundred and fifty Charles County three thousand six hundred and four Prince Georges County Three thousand Eight hundred and forty Frederick County Six thousand and two hundred and thirty three Queen Anns County three thousand four hundred S.^t Marys County Two thousand Eight hundred and sixty Eight Dorchester County Three thousand three hundred and seventy Kent County two thousand five hundred and Sixty seven Talbot County two thousand four hundred and thirty four. Somerset County two thousand six hundred and two Worcester County Two thousand six hundred and seventy Cæcil County two thousand one hundred and twenty one Calvert County seventeen hundred and one which said several Quantities of Tobacco the Justices of the several and respective County Courts within this Province are hereby impowered and required to assess in their next County Levies respectively with the Sheriffs Salary of five per Cent for collecting the same and shall be by the Respective Sheriffs collected and paid to the said Anne Catharine Green in Manner and Form aforesaid

Liber R. G.
1773

p. 277

Provided always and Be it hereby enacted That it shall and may be Lawful for the Taxable Inhabitants of this Province upon whom the above Quantities of Tobacco shall be Assessed to discharge and pay the same in manner aforesaid [Proviso.]

Provided also and Be it enacted That in Case any of the Counties aforesaid shall be divided and a new County out of any of them shall be erected before any of the Assessments shall be made as aforesaid in Virtue of this Act That then and in such Case the Justices of such new County or Counties so erected shall and they are hereby required annually to assess in the Respective County Levies of their Respective County or Counties so to be erected such part of the aforesaid several Quantities of Tobacco to be assessed on the County or Counties so divided (for the aforesaid Ann Catharine Green) as shall bear the like Proportion to the whole of such Quantities of Tobacco to be assessed as aforesaid as the Number of Taxables in any County or Counties which may hereafter be erected bears to the Number of Taxables in the County or Counties so to be divided with the Sheriff's Salary of five per Cent for Collection which Assessment of Tobacco so to be made shall be collected by the Sheriffs of the several and Respective Counties so to be erected and paid to the said Ann Catharine Green in Manner and form aforesaid And that the several and Respective Justices of the several and Respective County Courts of such Counties that shall be so divided shall in their annual Assessments to be made in Virtue of this Act have regard to and be governed by the same Rule of Apportionment. And the said Ann Catharine Green shall furnish the Courts and the respective Justices and Representatives [Proviso in case of Counties being divided.]

Liber R. G. of such new County in the same Manner as is before directed for
1773 the Counties aforesaid.

[Continu- This Act to continue till the twenty fifth Day of December
ance.] seventeen hundred and seventy four.

By the Lower House of Assembly Dec. ^r 18. th 1773 Read and Assented to Signed by Order Jn. ^o Duckett Clk. Lo. Ho.	}	On behalf of the Right Hon ^{ble} the Lord Pro- prietary of this Province I will this be a Law Rob. ^t Eden	{	By the Upper House of Assembly Dec. ^r 18. th 1773 Read and Assented to Signed by Order U. Scott Clk. Up. Ho.
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21½ Sides

The great Seal
in wax appendant

No. 23 An Act to establish a Market in Baltimore Town in Baltimore
p. 278 County and to Regulate the said Market.

[Preamble.] Whereas it is represented to this General Assembly that the Inhabitants of the said Town have built and erected a large and convenient Building calculated for a Market House and other Public Uses on Part of a Lot of Land in the said Town distinguished in the Platt thereof by the Number seventy one which if put under proper Regulations might be rendered very useful to the Inhabitants of the said Town and County and it is prayed that an Act may be passed for holding and Regulating a Market for the said Town—

[The Building erected in Baltimore-Town to be the Market-House, and Wednesday and Saturday to be held there as Market Days, &c.] Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the said Building shall be the Market House of the said Town and from and after the End of this Present Session of Assembly two Days in every Week to wit Wednesday and Saturday shall be held as Market Days at the said Market House and all Victuals and Provisions whatsoever brought either by Land or Water upon those or any other Days of the Week to the said Town for Sale (except Fish and Oysters brought by Water all kinds of Grain Flour Bread Butter in Firkins or other Vessels exceeding twenty pounds Nett Cheese Pork by the Hog Beef or Pork in the Barrels or Larger Casks live Cattle Sheep or Hogs) shall be carried to the Market House of the said Town there to be sold at Market Hours to wit from any time in the Morning to twelve at Noon.

[Provisions brought to the Town for Sale to be sold at Market Hours.] And be it enacted That no Inhabitant of the said Town or other Person shall buy or cause to be bought of any Person or Persons bringing (and within one Mile of the said Town) or having brought therein any Kind of Victuals or Provisions for Sale (except as before excepted) either upon Market Days or any other Days of the Week during Market Hours at any other place whatsoever but at or in the aforesaid Market House under

the Penalty of twenty Shillings Current Money for every such Offence. Liber R. G.
1773

And be it enacted That no Person bringing or Sending or having brought or sent any Victuals or Provisions to the said Town for Sale (except as before excepted) shall sell or cause to be sold the said Victuals or Provisions so brought or sent either by Land or Water to the said Town or within one Mile thereof at any other Place during Market Hours but at or in the aforesaid Market House under the Penalty of twenty Shillings Current Money for every such Offence. And if any Servants or Slave shall sell any Victuals or Provisions contrary to the Directions and Meaning of this Act such servant or Slave shall be punished by Whipping on the bare Back at the Discretion of any one Justice for Baltimore County Provided such Whipping do not exceed fifteen Lashes for any such Offence. [Penalty on
Persons
selling Pro-
visions
within one
Mile of
Town.]

And be it enacted That the Commissioners of Baltimore Town or the Major Part of them for the Time being shall assemble and meet between the twentieth and the last Day of this Present December and between the first and the tenth Day of September Yearly and every Year during the Continuance of this Act and then nominate and appoint one of the Inhabitants of the said Town of Baltimore to be Clerk of the said Market for the Year then next ensuing whose Power and Authority as Clerk shall continue for and during the Term of one Year. [Commis-
sioners of
Baltimore-
Town to
choose
yearly a
Clerk of the
Market.]
p. 279

And be it enacted that the Clerk of the said Market shall have Power and Authority to take the Possession Care and Charge of the Market and Market House aforesaid during his Continuance in Office and to inspect all provisions brought thereto for Sale and to distroy any he shall find and adjudge unsound or unwholsome and also to try and adjust the Weights and Measures used at the said Market by Standards to be provided and kept there by the Commissioners of the said Town for that Purpose and the same when false or untrue to seize and dispose of to the highest Bidder and shall pay the Money arising from such Sale to the said Commissioners to be by them applied to the Use of the said town. And the Clerk of the said Market unless prevented by Sickness or other unavoidable Accident or Necessity shall and he is hereby required to attend in the said Market from the Hour of five in the Morning to the Hour of Eight during the Months of April May June July August September and October and from the Hour of seven to the Hour of Nine in the Morning during the Months of November December January February and March. And if such Clerk shall neglect or refuse to attend as aforesaid he shall for every such Offence forfeit and pay the Sum of twenty Shillings Current Money to be recovered by the Commissioners of the said Town for the Time being before any Justice for Baltimore [His Power
and Au-
thority.]

[Hours of
Attendance.]

[Penalty on
Neglect.]

Liber R. G. County to be paid to and applied by them to the Use of the said
 1773 Town and the said Clerk may be removed and displaced by the Commissioners of the said Town for the Time being at their Pleasure and Discretion.

[Blown Meat to be seized and condemned for the Use of Prisoners in Baltimore County Jail.]
 [Penalty on offering such Meat for Sale.]
 And be it enacted That if any Butcher or other Person shall sell or offer for Sale any Meat within the said Market which shall be blown in such Case it shall and may be Lawful for the Clerk of the said Market to seize all such Meat sold or offered for Sale in the said Market and the same to Condemn to and for the Use of the Prisoners confined in Baltimore County Jail and the Butcher or other Person for every such Offence shall forfeit and pay the Sum of forty Shillings Current Money.

[Provisions sold by Weight to be weighed in Scales, &c.]
 [Penalty on Persons weighing with Steelyards.]
 [Clerk of the Market to hire out the Stalls, &c.]
 p. 280
 And be it enacted That from and after the first Monday in March next all Meat and every Article of Provision sold by Weight within the said Market shall be weighed in Scales and Weights tried and adjusted by the Standard of the County or the Standard to be provided and kept by the Commissioners as aforesaid and any Person offering Provision for Sale within the said Market who shall make Use of or weigh with Steelyards shall forfeit and pay the Sum of twenty Shillings Current Money for every such Offence.

And be it enacted That the Clerk of the said Market shall have full power to rent or hire out the Stalls and Shambles in the said Market House and the Rooms and Apartments over the same and shall keep a fair and just Accounts of the Profits arising from such Rents and of all Fines and Forfeitures he shall receive by Virtue of this Act and shall apply the same according to the Directions of the Commissioners of the said Town for the Time being and the said Clerk shall be allowed for his Services out of the Public Money belonging to the said Town at the Discretion of the said Commissioners not exceeding the Sum of thirty Pounds Current Money per Annum

[To take an Oath before entering upon Office.]
 Provided always and Be it enacted that before any Clerk to be Nominated and appointed as aforesaid shall enter upon his Office He shall be obliged to take an Oath or Affirmation before some Justice for Baltimore County Justly truly and impartially to perform the several Duties required of him by this Act and the several Oaths to the Government appointed by Law and subscribe the Oath of Abjuration and repeat and sign the Test

[In case of his Death or Removal another to be chosen.]
 And be it enacted That in Case of the Death or Removal or other Disqualification of any Clerk of the said Market immediately thereupon or as soon as may be the Commissioners of the said Town or the Major Part of them shall Nominate and appoint some other Person duly qualified as aforesaid to be Clerk for and during the Residue of the Year who shall have full power and Authority as Clerk of the Market in the said Town—

And be it enacted That every Person Nominated and appointed Clerk of the said Market shall before he takes on himself the Execution of the said Office enter into Bond with two sufficient Securities to be approved of by the said Commissioners or the Major Part of them in the Sum of one hundred Pounds Current Money payable to the Commissioners of the Town of Baltimore for the time being and their successors with Condition thereto that he will well and faithfully discharge his Duty agreeable to the Act of Assembly entitled "An Act to establish a Market in Baltimore Town in Baltimore County and to Regulate the said Market." and that he will render to the said Commissioners and their Successors when by them required a just and true Account of all Monies as he shall receive by Virtue of his Office and that he will pay and apply such Monies so received as the Commissioners aforesaid for the Time being or the Major Part of them shall order and direct.

Liber R. G.
1773
[To enter
into Bond.]

And be it enacted That it shall not be Lawful for any Person whatever wilfully to lead ride or drive into the aforesaid Market House any Horse Gelding Mare or Colt or to kill or Slaughter in the said House any Beast of the Beef Sheep or Hog Kind under the Penalty of ten Shillings Current Money of this Province for every such Offence.

[Penalty on
Persons
driving
Horses into
or killing
Beasts in the
Market-
House.]

And be it enacted That the Penalties by this Act imposed except on the Clerk of the said Market for Non-Attendance shall be recovered by and in the Name of the Commissioners of the Town of Baltimore for the Time being before any one Justice of the Peace for Baltimore County or the County where the Person offending shall reside and shall be paid to the Commissioners or the Clerk of the Market for the Time being and shall be applicable to the Use of the said Town of Baltimore

[Penalties,
how to be
recovered
and ap-
plied.]

Saving to his most sacred Majesty his Heirs and Successors the Right Honourable the Lord Proprietary his Heirs and Successors and to all Bodies politic and Corporate and all others not mentioned in this Act their several and Respective Rights.

[Saving to
his Majesty,
&c. their
Rights.]

This Act to continue three Years and unto the End of the next Session of Assembly which shall happen after the Expiration of the said three Years.

By the Lower House of
Assembly Dec.^r 18.th 1773
Read and Assented to
Signed by Order
Jn.^o Duckett Clk Lo: Ho

On behalf of the Right
Hon^{ble} the Lord Pro-
prietary of this Province
I will this be a Law
Rob.^t Eden

By the Upper House of
Assembly Dec.^r 18.th 1773
Read and Assented to
Signed by Order
U. Scott Clk. Up. Ho

The great Seal
in wax appendant

No. 24 An Act for the more effectual Preservation of the Breed of Wild
 Liber R. G. Deer.

1773
 [Preamble.]

Whereas it has been represented to this General Assembly that the Species of Deer hath of late Years been very much lessened, for the Prevention whereof it is thought proper by this General Assembly to pass an Act restraining all persons whatsoever from shooting or otherwise destroying them for a limited Time.

[Penalty on
 Persons kill-
 ing Deer
 during
 Three
 Years;]

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That it shall not be Lawful for any Person or Persons whatsoever within this Province (the Indians in Amity with us excepted) from and after the End of this Session of Assembly during the Term of three Years to kill any Deer under the Penalty of Ten pounds Current Money for every Deer so killed to be recovered in the County Court where the said Offence shall be committed by Indictment or Information one half of which said Sum of ten Pounds shall be applied to the Use of the County School where such Offence shall be committed and the other half to be received by the Person who shall make Information of the said Offence.

[How to be
 recovered
 and applied.]

[Persons in
 whose
 Hands Deers
 Flesh is
 found to be
 deemed the
 Killers.]

And be it further enacted that any Person or Persons whatsoever in whose hands or Custody any Deers flesh shall be found that shall appear to have been killed on or before the End of the said three Years shall be deemed taken and adjudged the Killer of such Deer and liable to the Penalty aforesaid unless such Person shall make it appear who it was that really killed the same or from whom such Person or Persons thereof possessed received the same

[Inhabitants
 of this Pro-
 vince not to
 purchase
 dead Deer of
 Indians.]
 p. 282

And be further enacted that it is the true Intent and meaning of this Act that the Liberty given to the Indians aforesaid shall extend only to the killing of Deer for their private Use and not for Sale and that it shall not be Lawful for any Inhabitant within this Province under the Penalty aforesaid to be recovered as aforesaid for the Uses aforesaid to purchase any Dead Deer or any Part thereof of any Indian or Indians within the Time prohibited by this Act to kill Deer.

[Nor to kill
 Deer dur-
 ing Three
 Years, nor
 afterwards
 except in
 September
 and Octo-
 ber.]

[Justices of
 County
 Courts to
 give this
 Act in
 Charge to
 their Grand
 Juries, &c.]

And be it further enacted That no Person or Persons whatsoever shall shoot or otherwise destroy any Deer after the End of this present Sessions of Assembly for and during the Term of three Years and that no Person or Persons whatsoever after the Expiration of the said Three Years shall shoot kill or destroy any Deer during the Continuance of this Act except in the Months of September and October Yearly.

And be it further enacted that the Justices of the several County Courts shall and they are hereby required to give this Act in Charge

to their several Grand Jurys whose Duty it shall be to present all Persons whatsoever who shall have made a Breach of this Act. Liber R. G. 1773

And be it further enacted That if any Master or Mistress Dame or Overseer shall suffer any Slave or Slaves under their Care or Management to hunt kill or destroy any Deer contrary to the Tenor of this Act the said Master Mistress Dame or Overseer so offending shall forfeit and pay the sum of ten Pounds to be recovered and applied as before directed. [Penalty on Persons suffering their Slaves to kill Deer.]

And be it further enacted That Nothing herein contained shall extend or be construed to extend to prevent any Person or Persons whatsoever from killing Deer within their Actual Inclosures or Islands or in that Part of Frederick County lying to the Westward of the North Mountain. [Persons may kill Deer within their Inclosures, &c.]

This Act to continue for and during the Term of twelve Years and until the End of the next Session of Assembly which shall happen after the said twelve Years. [Continuance]

By the Lower House of Assembly Dec. ^r 20. th 1773 Read and Assented to Signed by Order Jn. ^o Duckett Clk. Lo: Ho	{ On behalf of the Right Honble the Lord Proprietary of this Province I will this be a Law Rob ^t Eden	{ By the Upper House of Assembly Dec. ^r 21. st 1773 Read and Assented to Signed by Order U. Scott Clk. Up. Ho:
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7½ Sides

The great Seal
in Wax appendant

No. 25 An Act for the Repair of the Paper Currency Office. p. 283

Whereas it is represented to this General Assembly, that the said Office is in Want of immediate Repair. [Preamble.]

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Commissioners for emitting Bills of Credit shall and they are hereby impowered and required as soon as conveniently may be to agree with proper Work Men to repair the said Office in such Manner and fform as to them shall seem proper and shall and may pay the Expence thereof out of the Interest arising from the Loan of Bills of Credit emitted by Virtue of the Act entitled "An Act for emitting Bills of Credit and other Purposes therein mentioned." [Commissioners for emitting Bills of Credit to agree with Workmen to repair the Paper Currency Office, &c.]

By the Lower House of Assembly Dec. ^r 20. th 1773 Read and Assented to Signed by Order Jn. ^o Duckett Clk. Lo: Ho:	{ On behalf of the Right Honble the Lord Proprietary of this Province I will this be a Law Rob ^t Eden	{ By the Upper House of Assembly Dec. ^r 21. st 1773 Read and Assented to Signed by Order U. Scott, Clk. Up: Ho
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2½ Sides

The great Seal
in Wax appendant

No. 26 An Act for emitting Bills of Credit and applying Part thereof—
 Liber R. G. Whereas an Emission of Bills of Credit is at this Time of General
 1773 Scarcity of Specie thought expedient for carrying on the Trade and
 [Preamble.] Commerce of this Province and for answering divers other Beneficial
 Public Purposes.

[Bills of Credit to be printed under Direction of the Commissioners.] Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That Bills of Credit of the Denomination of Dollars and Parts of a Dollar to the amount of four hundred and Eighty thousand Dollars that is to say Two hundred and sixty six thousand six hundred and sixty six Dollars and two third parts of a Dollar for Loan Eighty thousand Dollars for the purposes herein after particularly mentioned and for such other Purposes as shall hereafter be appointed by Act of the General Assembly and One hundred and thirty three thousand Three hundred and Thirty three Dollars and one third part of a Dollar for the Purpose of exchanging such of the said Bills as shall be emitted in Virtue of this Act and which shall become torn defaced and unfit to pass shall be printed and struck with all convenient Speed on good single Paper under the Care and Direction of the Commissioners appointed or to be appointed by Virtue of an Act entitled An Act for emitting Bills of Credit and other purposes therein mentioned in Manner and fform

p. 284 following to wit. "This Indented Bill of shall entitle the Bearer hereof to receive Bills of Exchange payable in London or Gold and Silver at the Rate of four Shillings and six Pence Sterling per Dollar for the said Bill according to the Directions of an Act of Assembly of Maryland dated in Annapolis this Day of

Anno Domini 1774 which Bills of Credit shall be Signed numbered and dated by the Commissioners aforesaid as hereinafter directed and the Number of Dollars or the parts or part of a Dollar by which each Bill shall be denominated shall be printed at the Top of such Bill in Words at length with the like Devices and Marks on the Bills and by the like Stamps and flowers as were used in printing the Bills of Credit last emitted in this Province as well readily to distinguish their several Denominations as to prevent Counterfeits The Number of which Bills as well as the Denominations thereof shall be the following and no other to wit Eighteen Thousand Bills of Eight Dollars each Eighteen Thousand Bills of six Dollars each Eighteen Thousand Bills of four Dollars each Thirty one thousand five hundred Bills of two Dollars each Thirty four Thousand five hundred Bills of one Dollar each Thirty one Thousand five hundred Bills of two third parts of a Dollar each Twenty seven thousand Bills of Half a Dollar each Thirty one Thousand five hundred Bills of one third of a Dollar each Twenty seven thousand Bills of two Ninth parts of a Dollar each Twenty

[Their Number and Denomination.]

seven thousand Bills of one sixth part of a Dollar each and twenty seven thousand Bills of One Ninth part of a Dollar each and the said Commissioners are hereby directed and required to use the best of their Care and Diligence that the said Bills according to their Respective Denominations aforesaid and according to the Manner and fform aforesaid be forthwith printed and that the Number of any of the Denominations thereof be not exceeded or any Clandestine or fraudulent Practice used by the Printer his Apprentices Servants or others concerned therein.

Liber R. G.
1773

[The Commissioners to see the Printing performed.]

And be it enacted That the Printer who shall be employed in printing and stamping the said Bills of Credit and all his Apprentices and Servants which he may employ in the said Work shall before he or they begin or enter upon the same take before some Justice of the Provincial or County Court the following Oath to wit I AB do swear that I will truly faithfully and honestly perform the Duty of Printer agreeable to the Directions of an Act of Assembly of this Province entitled an Act for emitting Bills of Credit and applying part thereof and will not advisedly print or stamp any greater Number of Blank Bills of Credit than in that Act mentioned or of other Denominations than therein expressed except such Sheets as may be so blotted unfair or imperfect in the impressing or printing thereof that the same shall be unfit for Use So help me God." And if such Printer himself or any of his Apprentices or Servants with his Privy shall advisedly print or stamp any greater Number of the Bills aforesaid or of any other Denominations than by this Act is limited and expressed Contrary to the true Interest and Meaning thereof such Printer shall forfeit and pay the Sum of five hundred pounds Current Money to be recovered by Action of Debt or Bill of Indictment wherein not more than one Impar lance shall be allowed and any Apprentice or Servant of such Printer who shall advisedly print or stamp any greater Number of the Bills aforesaid or of any other Denominations than by this Act is Limited and expressed Contrary to the true Intent & Meaning thereof shall on Conviction in due Course of Law receive Corporal Punishment by Whipping not exceeding thirty nine Stripes.

[Printers, &c. to be sworn.]

[The Oath.]

p. 285

[Penalty on the Printer, &c. for Breach of Duty.]

Be it also enacted That the Printer of the said Bills shall not by himself Servants or any other Person by him employed presume to Print Stamp Stitch or bind the said Bills or any of them but in the Presence of one or both of the said Commissioners who are hereby required and directed to be present and at all Times when there shall be any Intermission of the said Work of Printing or binding the said Commissioners shall safely and securely Lock up the Press Stamps and Flowers with which the said Work shall be performed and the Impressions that shall be then made in the Room in which the Printing and Binding aforesaid shall be done and the Keys of such Room shall keep in their Possession And when all the said

[One or both the Commissioners to attend the Press, &c.]

Liber R. G. Bills shall be printed and stamped the Stamps and Flowers by
 1773 which such Impressions shall be made shall be delivered by the
 [The Stamps and Flowers to be delivered to the Commissioners, and deposited in one of the Iron Chests, &c. under Penalty.] Printer to the said Commissioners under the penalty of five hundred Pounds Current Money to be recovered as aforesaid And the said Commissioners are hereby directed and required to receive the said Stamps and Flowers into their Possession and the same safely keep in one of the Iron Chests in their Office under the Penalty of five hundred pounds Current Money each to be recovered as aforesaid And the said Commissioners shall out of the Bills of Credit to be emitted in Virtue of this Act issue and pay to the Printer who shall print stamp stitch and bind the said Bills of Credit fifteen hundred of the said Dollars for his said Services and the Paper Ink and other Materials Necessary for the said Work

[Persons counterfeiting Bills of Credit to suffer Death.] And be it further enacted That any Person or Persons who shall forge or Counterfeit any of the said Bills of Credit or alter the Sum expressed in any of the said Bills of Credit and his her or their Aiders or abettors or who shall offer or cause to be offered in Payment or Utter or cause to be Uttered any such Counterfeit forged or altered Bill of Credit knowing the same to be Counterfeit forged or altered and who shall be thereof Convict by due Course of Law or stand mute or peremptorily challenge above the Number of twenty of the Pannel shall suffer Death as a Felon or Felons without Benefit of Clergy And all persons into whose hands any of the said Counterfeit forged or altered Bills may happen to come shall forthwith deliver the same to some Provincial or County Justice who shall cause the Name of him her or them that delivered the same and of the Person or Persons from whom the same was taken to be Indorsed on the Back thereof which Bill or Bills shall be safely kept by the same Provincial or County Justice and be forth coming when there may be Occasion

p. 286

[Commissioners to sign Bills of Credit to the Amount of 346,666 $\frac{2}{3}$ Dollars for Emission, &c.] And be it further enacted That the said Commissioners after the same Bills are so printed shall from Time to Time as Occasion may require sign and number so many of the said Bills of Credit as shall amount to Three hundred and forty six thousand and six hundred and sixty six Dollars and two third parts of a Dollar in the Whole for Emission and no more and Number Counterparts of them and such of them as shall from Time to Time be so signed shall Deposit and keep in one of the Iron Chests now in their Office with two Substantial Locks of Different Construction and that each Commissioner shall keep a Key to the End that no Bills of Credit which shall be signed be taken out or disposed of but by or in the Presence of both of the said Commissioners which Chest shall be kept by them in the Repository of the said Office and their Office shall be kept and all the Business Relative to this Act shall be done in the House called the Paper Currency Office belonging to the Province and the said Commissioners shall keep true fair and Methodical

Accounts of all their Transactions and Proceedings in Virtue of this Act which Accounts a Committee of both Houses of Assembly shall be appointed every Session to inspect and examine and the said Commissioners are hereby required and enjoined to lay a full and fair State of their Proceedings before such Committee to the End they may be satisfied that the Sums for which Bills shall have been issued Pursuant to this Act be not exceeded and may be acquainted from Time to Time with the State of the whole transactions and Affairs Relating to the said Office and of the Management and Behaviour of the said Commissioners which Committee shall every Session Report to the Assembly the State and Condition of the said Office and the Conduct and Behaviour of the said Commissioners

And be it further enacted That Part of the said Bills to the amount of two hundred and sixty six Thousand six hundred and sixty six Dollars and two third parts of a Dollar only shall and may be let out to the Inhabitants of this Province in Sterling at the Rate of four Shillings and six pence Sterling per Dollar upon Interest on Bonds with good Security. And to the End that the same may be distributed as equally and diffused as generally throughout the Province as may be the said Bills shall be and are hereby appropriated for Loan to the Inhabitants of the Respective Counties until the End of two Months next after the Opening the Office for the Loan of the said Bills to be emitted in Virtue of this Act in the following Proportion to wit Baltimore County Thirty five thousand two hundred Dollars Frederick County Thirty four thousand Nine hundred and thirty three Dollars and one third Part of a Dollar Ann Arundel County Twenty three thousand seven hundred and thirty three Dollars and one third Part of a Dollar Prince Georges County Twenty one thousand three hundred and thirty three Dollars and one third part of a Dollar Charles County twenty thousand Dollars Calvert County Nine thousand three hundred and thirty three Dollars and one third part of a Dollar Saint Marys County sixteen Thousand Dollars Queen Anns County Nineteen thousand two hundred Dollars Dorchester County Eighteen thousand Nine hundred and thirty three Dollars and one third Part of a Dollar Worcester County fourteen thousand Nine hundred and thirty three Dollars and one third Part of a Dollar Somerset County fourteen thousand four hundred Dollars Kent County Fourteen thousand one hundred and thirty three Dollars and one third Part of a Dollar Talbot County Thirteen thousand three hundred and thirty three Dollars and one third Part of a Dollar and Cæcil County Eleven thousand two hundred Dollars And the said Bills of Credit so as aforesaid appropriated for Loan to the Inhabitants of the Respective Counties as aforesaid until the End of the said two Months shall and may be by the said Commissioners lent out to any person or persons Residing and Inhabiting within the said Counties respec-

Liber R. G.
1773

[Part of said Bills, to the Amount of 266,666 $\frac{2}{3}$ Dollars to be lent out in Sterling, at 4 s. 6 d. per Dollar, to the Inhabitants of the respective Counties.]

[The Sums allotted for Each County.]

p. 287

Liber R. G. 1773 tively and to no other Person or Persons upon Interest on Bond with good Security in Manner as herein after directed any of which said of [*sic*] Loans shall not exceed one thousand nor be less than one hundred Dollars to one and the same person or persons and from the End of the said two Months then such of the said Bills as shall remain not lent out to the Inhabitants of the Respective Counties as such shall and may be by the said Commissioners lent out to any Person or Persons inhabiting and Residing within this Province upon Interest on Bond with good Security in Manner herein after directed that is to say at any Time after the End of the said two Months until the End of one Month then next following any Sum or Sums not exceeding one Thousand nor less than One hundred Dollars to One and the same Person or Persons And at any Time after the End of the said One Month any sum or Sums not Less than One Hundred Dollars to one and the same person or persons the Respective Borrower at the Time of any such Loan where the same doth not exceed three thousand Dollars giving Bond with one or more Sureties at the Discretion of the said Commissioners and where such Loan doth exceed three thousand Dollars giving a Seperate Bond for every three thousand Dollars of such Loan with one or more Sureties as aforesaid who at the time thereof shall not be bound as Sureties in the said Office for any Sums to the amount in the whole of more than four thousand Dollars to the Intent that not more than four thousand Dollars or the Value thereof in the whole may at any Time rest on the Solvency or Sufficiency of the same Sureties All which Bonds shall be payable to the said Commissioners for the Time being in Double the Principal Sum in Sterling Money conditioned for the Payment of the Sum Lent with Interest at the Rate of four per Cent by the Year at some short Day to be agreed upon But before the said Commissioners shall lend out any of the said Bills of Credit they shall give notice by Advertisement in the Maryland Gazette for at least four Weeks Successively of the Time they shall begin to lend the same And it is hereby Declared to be the Duty of the said Commissioners not to regard Applications for the Loan of Money or transacting any other Business in their Office but only in Course and according to their Priority with Applications shall be personally made and at the same Time that the Loan of Money or the Doing any other Business in the said Office shall be required.

[Bonds to be payable to the Commissioners at 4 per Cent. Interest.]

p. 288

[Applications to be regarded according to Priority.]

[Sureties upon all Loans to have a Fee simple to double the Value lent, clear of Incumbrances.]

And be it further enacted that upon all Loans under this or future Loans under the said former Act the Commissioners shall take all possible Care that each of the Sureties on the said Loans have an Indefeazable Estate in fee Simple in Lands situate lying and being within this Province in the whole to double the Value of all the Sums for which they shall be Sureties free from all Incumbrances except the Lord Proprietarys Quit Rents

And be it further enacted that all Bonds which shall be taken by the Commissioners aforesaid by Virtue of this Act shall be a Lien upon and bind the Real Estate of the Obligor and his Sureties into whose hands soever the same may come from the Day of the Execution of such Bond or Bonds Respectively as fully and in the same Manner as Bonds taken by the said Commissioners by Virtue of the Act entitled An Act for emitting Bills of Credit and other Purposes therein mentioned And the said Commissioners as well as the Surety or Sureties in any of the said Bonds Alience and Alienees of such Principal Debtor or Surety or Sureties and the Heirs Executors Administrators and Devisees of such Surety or Sureties or Alience or Alienees shall by Virtue of this Act be entitled to the like Remedies Respectively and shall and may proceed in the same Manner on the said Bonds to be taken by the said Commissioners in Virtue of this Act as they respectively are entitled to and have on Bonds taken by the said Commissioners by Virtue of the said former Act

Liber R. G.
1773
[The Bonds entered into to be a Lien upon, and bind the real Estates of the Obligor and his Sureties, &c.]

And be it further enacted and declared that in Case any Surety or Sureties shall pay the principal and Interest due on any Bond Payable to the said Commissioners they shall on the Request of such Surety or Sureties assign such Bond in the same Manner as they are required to Do by the said former Act and such Assignee shall have the same Remedy thereon as if such Surety or Sureties had been called on by the said Commissioners for Payment and had paid the same And if any Real or Personal Estate shall by the last Will or Testament of any Person bound to the said Commissioners or otherwise by Deed executed in his Life Time be charged with the Payment of what may or shall be due on such Bond in such Case the Heirs Devisees Executors or Administrators of such Person shall be entitled on the Payment of what may or shall be due on such Bond on their Request to have from the said Commissioners such Assignment as aforesaid under and by Virtue of which Assignment they shall affect such Real and Personal Estate so charged as aforesaid and it is hereby further declared and enacted that any Bonds already entered into or hereafter to be entered into to the said Commissioners shall in Course of Administration be of equal Degree with Judgments recovered in any Court of Record

[Sureties discharging any Bonds, the Commissioners to assign them in the same Manner as directed by the former Act, &c.]

p. 289

And be it further enacted That any Debtor to the said Office on Loan as aforesaid for the Bills of Credit so to be lent out may discharge his Debt and Interest due to the said Office in the Bills of Credit emitted in Virtue hereof in the Bills of Credit heretofore issued by the Act entitled An Act for the Payment of the Public Claims for emitting Bills of Credit and for other Purposes therein mentioned in the Bills of Credit emitted by Virtue of the said other Act intitled an Act for emitting Bills of Credit and other Purposes

[Debts to the Loan-Office, how to be discharged.]

Liber R. G.
1773

[Such Payments to be let out again on Loan, except Bills of Credit emitted by a former Act.]

therein mentioned or in Silver and Gold at the Rates and Values expressed in the said last mentioned Act And the said Commissioners are hereby directed and Required to receive the same Accordingly either for Principal or Interest and to let out the same again on Loan in manner aforesaid except such Bills of Credit as were heretofore issued by the Act intituled an Act for the Payment of the Public Claims for emitting Bills of Credit and for other Purposes therein mentioned and also except such other Bills of Credit and other Monies as to which it is herein otherwise directed all which said Mentioned Bills of Credit and other Monies so excepted the said Commissioners are hereby directed and required as they come in to keep separte and safe in the said Iron Chest subject to the Inspection of the Committee of Assembly as aforesaid.

[The Oaths of the Commissioners and their Clerk.]

p. 290

And be it enacted That before the said Commissioners shall give Directions touching the Printing and stamping the said Bills the same Commissioners and their Clerk shall before some Provincial Justice (who is hereby impowered to administer the same) respectively take the following Oath to wit "I A. B. do swear that I will according to the best of my skill and Knowledge faithfully impartially and truly demean Myself in Discharge of the Trust Committed to me by an Act of Assembly of this Province entitled an Act for emitting Bills of Credit and applying part thereof according to the purport and Tenor of the said Act so as none may be prejudiced by my Consent Privity or Procurement So help me God." I AB do swear that I will truly and faithfully perform and execute the Office and Duty That is directed and required of me as Clerk of the Commissioners for emitting Bills of Credit by an Act of Assembly of this Province entitled an Act for emitting Bills of Credit and applying part thereof and that I will keep a just and true Account of all Bills of Credit which shall be issued and paid out of the said Office and of the Names of those to whom the same shall be paid and delivered and all other Necessary Accounts relating to the said Bills of Credit and true Entries make of all other Proceedings and Transactions of the said Commissioners without any Fraudulent Practice whatsoever So help me God."

[Commissioners, on Application, to sign and deliver new Bills, in Lieu of torn and defaced ones.]

And be it enacted That upon Application during the Continuance of this Act to the Commissioners aforesaid by any Person or Persons having any Bill or Bills of Credit to be emitted by Virtue of this Act torn or defaced and unfit to pass the said Commissioners are hereby required without Fee or Reward to sign and deliver a new Bill or Bills of Credit to such person or persons in Lieu of such torn or defaced Bill or Bills of the same Value and Date therewith and to number and keep Counterparts of the new Bills so delivered and also to keep such Torn and Defaced Bills so taken in together with an Account of the same for the Inspection of the Committee of Assembly aforesaid

And be it enacted That the said Bills of Credit by this Act to be emitted shall not continue in Circulation for a longer Time than Twelve Years from the tenth Day of April next And for the sinking the same the Commissioners aforesaid are hereby required within the first six Months of the last Year of the said twelve Years to call in all the Debts due in the said Office on Loans by Virtue of this Act to the End the said Bills of Credit may be brought in and burnt or destroyed And that within the Last six Months of the said twelve Years to wit at any Time between the Tenth Day of October which shall be in the Year of our Lord One thousand seven hundred and Eighty five and the tenth Day of April which shall be in the Year of our Lord One thousand seven hundred and Eighty six any person or persons who shall have the Property in or Possession of any Number of the said Bills of Credit to be issued by Virtue of this Act shall be hereby entitled by Delivering the same to the said Commissioners to Demand and Receive from them the full Sterling amount of the said Bills of Credit so delivered either in good Bills of Exchange at forty Days Sight to be drawn by the said Commissioners on the Trustees residing in London mentioned in the said Act Entitled an Act for emitting Bills of Credit and other purposes therein mentioned or in Gold and Silver as Rated in and by that Act

Liber R. G.
1773
[Bills of
Credit emitted by this
Act, not to
continue in
Circulation
longer than
12 Years
from the
10th of
April next,
&c. but
Debts to be
called in the
first Six
Months of
the last
Year.]

And be it enacted that it shall not be Lawful for the said Commissioners to lend out any Bills of Exchange Bills of Credit or Gold or Silver within the last Year of the twelve Years aforesaid and they are hereby empowered within the said Last Year but not before to Receive in Good Bills of Exchange at not more than forty Days Sight payable at some House in London if offered in Discharge of any of the Loans by this Act directed which Bills they shall as soon as may be remit to the Trustees in London to be presented for payment and the said Trustees are hereby required if any of the said Bills of Exchange are not paid to return Protests immediately to the said Commissioners to recover the Money and Damages that may be due thereon and if paid to keep the Money in their hands to the Credit of the Public of this Province out of which to pay such Bills as the said Commissioners shall draw on them to the Proprietor or Possessors of such Bills of Credit as shall be brought in And the said Commissioners are directed to draw Bills of Exchange at forty Days sight on the said Trustees for the purpose aforesaid.

[Bills of
Exchange,
&c. not to
be lent out
within the
last Year,
but then,
and not be-
fore, to be
received in
Discharge
of Loans,
&c.]
p. 291
[Trustees in
London to
pay Bills
drawn by
the Commis-
sioners, &c.
to the Pro-
prietors of
Bills of
Credit.]

Provided Nevertheless that the Bond or Bonds for which such Bills of Exchange may be tendered or offered shall not be given up nor be understood to be discharged until Advice shall be received of the Payment of such Bills in London but that there shall be an indorsement made on the Back of the Bond for which such Bills of Exchange shall be paid of the Receipt thereof and when the

[Proviso.]

Liber R. G. said Bills shall be paid in London or if protested when the Sum
 1773 Damages and Charges of Protest shall be paid and satisfied and
 not before the said Bond shall be discharged and given up and
 until then shall stand and remain as a Lien and Security as fully
 and effectually as when first executed And the said Commissioners
 shall keep a fair Account of all the said Bills of Credit so to be
 received in as well in Discharge of Debts aforesaid as for which
 they shall have drawn Bills of Exchange or paid Gold and Silver
 and Lock up the said Bills of Credit in the Iron Chests aforesaid
 to be examined cancelled and destroyed by a Committee of Assembly
 at the next Session after Receipt thereof

[The Com-
 missioners
 to compel
 punctual
 Payment of
 Interest,
 &c. which
 may be lent
 out again.] And be it enacted that the said Commissioners shall and they are
 hereby Directed and required to compel the punctual payment of
 the Interest Annually which shall be due on Loans to be made by
 Virtue of this Act within three Months after the same shall respec-
 tively become due and for any Interest they shall receive shall give
 a Receipt to the person paying the same and in Default of such pay-
 ment of Interest shall cause such Process as aforesaid to be issued
 to call in both Principal and Interest and shall and may lend out
 again in Manner aforesaid such Gold and Silver or Bills of Credit
 to be emitted by Virtue of this Act as they may from time to time
 receive in from the Borrowers aforesaid except such as are herein
 directed to be retained in the said Office

And the more effectually to enforce the Regular and punctual
 Payment of the Interest which may become due on the said Loans
 and in which the Public is so greatly interested

[Commis-
 sioners and
 their Sure-
 ties liable
 in Case of
 Failure of
 Duty.] Be it enacted that in Case the Commissioners aforesaid shall not
 p. 292 issue Process on any of the said Bonds by the Space of six Months
 next after the Interest on such Bond shall be due and payable then
 the said Commissioners shall be chargeable with and their Office
 Bonds and their Sureties therein be liable for not only the Principal
 Money and Interest due on such Bonds but also Interest on the
 Interest as it shall it arise till actual Payment into the Office of
 the Principal and all such Interest on the said Bond

[When the
 Exchange
 shall be
 above Par,
 no Bills of
 Credit to be
 lent out of
 the Office.] And the better to support the Credit of the said Bills now to be
 emitted Be it enacted that whenever the Current Exchange between
 this Province and London shall be more than at the Rate of four
 shillings and Six pence Sterling per Dollar that is when Dollars
 will not purchase Bills of Exchange at that Rate or under, then
 and so long as the Exchange shall keep so above Par it shall not
 be Lawful for the said Commissioners to lend out any of the Bills
 of Credit they may then have in their Office any thing herein con-
 tained to the Contrary Notwithstanding.

And be it enacted That all Monies and Bills of Exchange which
 shall remain in the said Office or in England in Stock or in the Hands

of the said Trustees or in the Hands of the Debtors for the Loans aforesaid and the Interest arising therefrom after all the said Bills of Credit by this Act emitted shall be called in and Sunk shall be applied and disposed of in such Manner and form as the Assembly of this Province shall direct and appoint

And be it hereby declared and enacted That this present Act shall be taken and allowed as a Public Act and all Judges Justices and other Persons concerned are hereby required to take Notice thereof as such without pleading the same specially

And be it enacted That all Penalties and Forfeitures which shall be incurred and recovered under this Act shall be received by the Sheriff of the County wherein such Recovery shall be had and be by such Sheriff paid after Deducting five Per Centum for his Commission One half thereof to the Informer if any and the other half thereof if any Informer or if no Informer then the whole into the Hands of the said Commissioners to be by them Lent out on Interest in manner aforesaid

Provided always and it is the true Intent and Meaning of this Act that Nothing herein contained shall extend or be construed or taken to make any Tender of the said Bills of Credit in Discharge of any Contract whatsoever Lawful except such Contracts as shall or may be made expressly and Specifically for, or for the Delivery of such Bills of Credit

Provided also And be it hereby enacted That no Commissioner or his Sureties shall be liable by his Office. Bond for any fault or Miscarriage in the Execution of any of the Trusts committed to the Commissioners aforesaid other than such as shall happen in the Time of the Continuance of the Respective Commissioner.

And be it further enacted That the Office Bonds of the said Commissioners and their Clerk already given or to be given and their Sureties therein shall respectively be Liable for the said Commissioners and Clerk their faithful Discharge of the Duties required to be performed by them by this Act And if any Surety on the Office Bond of either of the said Commissioners or their Clerk shall be unwilling to stand and be bound for such Commissioner or Clerk respectively under the Bond already given for the faithful Discharge of the Duties required of him by this Act and shall signify such Unwillingness to his Excellency the Governor or Commander in chief for the time Being in Writing then such Commissioner or Clerk respectively shall give another Bond in the same Penalty with such Sureties before such Justice in like Manner with like Condition and to be proved, recorded, Lodged and kept as the Office Bond of such Commissioner or Clerk already given is Directed by Law and an Attested Copy of the Record thereof shall also in like Manner be Evidence and it is hereby Declared that such Bond to be given

Liber R. G.
1773
[Monies,
&c. after the
Bills of
Credit shall
be sunk,
to be dis-
posed of as
the Assem-
bly shall
direct.]
[This Act
to be a pub-
lic Act.]
[Penalties
and For-
feitures, how
to be re-
covered.]

[Bills of
Credit not a
legal Tender,
except under
express
Contract.]

[Commis-
sioner or his
Sureties,
liable only
for Transac-
tions during
his Continu-
ance in
Office.]
p. 293
[The Office
Bonds of the
Commis-
sioners and
their Clerk
to be liable
for the Dis-
charge of
their Duty,
&c.]

Liber R. G. as aforesaid shall stand and be construed to stand as Security for
 1773
 [Additional Salary to the Commissioners and Clerk.] the faithful Performance after the Date thereof of all the Duties of such Commissioner or Clerk in his Respective Office And such of the said Commissioners as shall execute the Trust under this Act shall be allowed after the Rate of two hundred Dollars each for the first and after the Rate of Eighty Dollars each for every Year after until the tenth Day of April Seventeen hundred and Eighty two in Addition to the salaries heretofore allowed them and the Clerk for the Time being to the said Commissioners shall be allowed for his Services in the Execution of this Act after the Rate of one hundred Dollars for the first Year and after the Rate of Sixty Dollars per Year for every Year afterwards untill the tenth Day of April Seventeen hundred and Eighty two over and above his Salary allowed by former Laws which salaries shall be paid out of the Bills of Credit emitted in Virtue of this and the said Act entitled an Act for emitting Bills of Credit and for other Purposes therein mentioned

[The Offices of the Commissioners and their Clerk to continue till the 10th of April 1786.] p. 294 And be it further enacted That the Offices of the said Commissioners and their Clerk af.^d shall have being and Continuance by Virtue hereof until the tenth Day of April seventeen hundred and Eighty six and shall and may from Time to time until that time as Occasion may Require be filled up used and exercised in like manner as the same Offices Respectively may be filled up used and exercised until the said tenth Day of April seventeen hundred and Eighty two by Virtue of the said Act intitled an Act for emitting Bills of Credit and other Purposes therein mentioned and under the like Securities of such Bonds and Oaths as are required by the same Act And that after the said tenth Day of April seventeen hundred and Eighty two until the Said tenth Day of April Seventeen hundred and Eighty six each of the Commissioners who shall exercise that Office under this Act shall be allowed after the Rate of three hundred and twenty Dollars by the Year for his salary and no more And the Clerk to the said Commissioners shall be allowed for his Services in the Execution of this Act after the Rate of two hundred and fifty Dollars by the Year and no more to be paid out of the Bills of Credit emitted in Virtue of this Act

[Their Salaries for the last Four Years.]

[Eight Thousand Dollars to be appropriated for making a Road from Fort Cumberland, &c.] And be it enacted that of the said Eighty Thousand Dollars to be emitted in Virtue of this Act such Number as shall be necessary not exceeding Eight thousand Dollars be and are hereby appropriated to be laid out and expended in the cutting clearing amending and putting in good Order a Waggon Road from Fort Cumberland to the nearest Battoc [*sic*] navigable Water on the Western side of the Allegany Mountain and the said Eight Thousand Dollars or such part thereof as may be necessary shall and may be laid out and expended in the Work aforesaid by M.^r Thomas Johnson Jun.^r M.^r Henry Griffith M.^r Charles Beatty M.^r Thomas Sprigg Wootton M.^r Joseph Sprigg M.^r Thomas Price and M.^r Jonathan Hagar or

the Major Part of them who are hereby appointed Supervisors of the said Road and the said Commissioners shall from time to time pay to the Order or Orders of the said Supervisors or the major Part of them any Part or Parts of the said Eight thousand Dollars for the purpose aforesaid of the Expenditure whereof the said Supervisors shall from time to time render to the General Assembly of this Province a full and perfect Account

Liber R. G.
1773

And be it enacted that the Commissioners aforesaid out of the Interest which shall arise on the Loans to be made in Virtue of this Act and which shall be first paid into the said Office shall retain in the said Office and securely and safely lock up in one of the said Iron Chests with two Locks and Keys as aforesaid Forty two thousand Six hundred and Sixty six Dollars and two third Parts of a Dollar or the Value thereof in Gold and Silver And the said forty two thousand six hundred and sixty six Dollars and two Parts of a Dollar or the Value thereof as aforesaid to arise and be first paid in for Interest as aforesaid shall be and are hereby appropriated to and for the Establishment of a seminary of Learning in this Province in such Manner as shall be directed and appointed by Act of the General Assembly thereof.

[Interest which shall first arise on the Loans, to the Amount of 42666 $\frac{2}{3}$ Dollars, to be appropriated for the Establishment of a Seminary of Learning.]
p. 295

By the Lower House of
Assembly Dec.^r 21.st 1773
Read and Assented to
Signed by Order
Jn.^o Duckett Clk. Lo: Ho

On behalf of the Right
Honble the Lord Proprietary
of this Province
I will this be a Law
Rob^t Eden

By the Upper House of
Assembly Dec.^r 21.st 1773
Read and Assented to
U: Scott Clk. Up. Ho:

The great Seal
in wax appendant

55 Sides

No. 27 An Act for the Relief of Samuel Dorsey of Ann Arundel County

Whereas Caleb Dorsey late of Ann Arundel County deceased by his Testament and last Will devised and bequeathed to his Son Samuel Dorsey a Considerable Real and Personal Estate under a condition contained in the same Will in the Words following to wit, "In Case my said Son Samuel Dorsey is at this Time married or has Disposed of himself in Marriage to Margaret or Peggy Sprigg or shall hereafter marry her or dispose of himself in Marriage to her then I do hereby revoke annul and make absolutely void and of none Effect my said Devise Legacy and Bequest to my said Son Samuel Dorsey of my said Lands and Personal Estate therewith hereby given devised and Bequeathed to my said Son Samuel Dorsey as aforesaid except five hundred Acres of Land lying in Frederick County Part of Caleb's Delight enlarged all which my said Lands and Personal Estate I do thenceforth and in such Case give Devise and Bequeath unto my son Edward Dorsey and the Heirs of his Body Lawfully begotten and for Default of Lawful Issue then to remain to my above named Daughters and their Heirs forever.

Liber R. G. 1773 And Whereas the said Samuel Dorsey by his humble Petition to this General Assembly hath prayed an Act may Pass for annulling the said Restrictive Clause in his Fathers Will and Edward Dorsey the Devisee over now an Infant of the Age of Fourteen Years and upwards, Charles Ridgely and Rebecca his Wife William Buchanan Junior and Peggy his Wife, Michael Pue and Mary his Wife and Eleanor Dorsey have joined in the same Petition and William Goodwin and Milcah his Wife have not objected against such Act; the said Rebecca Ridgely, Peggy Buchanan, Mary Pue, Eleanor Dorsey and Milcah Goodwin being the Daughters of the said Caleb Dorsey and Devisees over in Default of Issue of the said Edward Dorsey: And it appearing that the Marriage of the said Samuel Dorsey with the Person described in the said Will by the Name of Peggy or Margaret Sprigg can be no Disparagement Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the said Condition or Respective Clause shall be wholly void and that the said Will shall stand and be construed as if no such Clause had been contained therein—

By the Lower House of Assembly Dec. ^r 21. st 1773 Read and Assented to Signed by Order Jn. ^o Duckett Clk Lo: Ho.	}	On behalf of the Right Honble the Lord Proprietary of this Province I will this be a Law Rob. ^t Eden	{	By the Upper House of Assembly Dec. ^r 21. st 1773 Read and Assented to Signed by Order U. Scott Clk. Up. Ho.
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4 Sides

 The great Seal
 in wax appendant

No. 28 An Act for the Support of the Clergy of the Church of England in
 p. 296 this Province—

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That every Taxable Inhabitant within this Province shall on or before the tenth Day of June in every Year during the Continuance of this Act pay unto the sheriff of his County to and for the support and Maintainance of his Minister thirty Pounds of inspected Tobacco in Inspectors Notes or in Money or thirty two pounds of Tobacco in Gold or Silver at the Rates expressed and limited in the Act entitled “An Act for the Regulation of the staple of Tobacco and for preventing Frauds in his Majestys Customs” and no more and after the said tenth Day of June Yearly every Person shall be obliged to pay on the said thirty two pounds of Tobacco in Gold or Silver as aforesaid. And if any Taxable shall neglect or refuse to pay and discharge the said Money in Gold and Silver at the Rates aforesaid on or before the tenth Day of August in any Year during the Con-

[Every taxable Inhabitant to pay 30 lb. of Inspected Tobacco, or in Money on 32 lb. of Tobacco, for the Maintenance of his Minister, &c.]

tinuance of this Act it shall be Lawful for the sheriffs of the several and Respective Counties of this Province and they are hereby directed and required to collect from every such Taxable Inhabitant the said Money in Gold or Silver at the Rates aforesaid by Way of Distress and Sale of the Goods or Execution on the Person chargeable therefor in the same manner as they are authorized and directed to collect distrain and execute for the County Levy by the said Act entitled "An Act for the Regulation of the staple of Tobacco and for preventing Frauds in his Majestys Customs" And the said sheriffs shall and they are hereby required before the last Day of June Yearly to pay to the Incumbent of each Parish in their several and Respective Counties all the Tobacco they shall have received from the Taxable Inhabitants of their several and Respective Parishes before the said tenth Day of June Yearly and shall also before the Last Day of August Yearly Pay to each Incumbent all the Money they shall have collected and received or which by Law they ought to have collected and received retaining five per Centum only on such Tobacco and Money for Collection thereof And if any Sheriff shall not make Payment according to the Directions of this Act He shall forfeit and pay to the Incumbent and his Executors and Administrators if Suit be brought against the sheriff only double the Tobacco or Money which such sheriff shall or ought to have collected to be recovered with Costs by Action of Debt or on the Case founded on this Act in which it shall be Sufficient for the Plaintiff to alledge that the Defendant is indebted to the Plaintiff or received to the Plaintiffs Use the Sums of Money or Tobacco claimed by him whereby the Plaintiffs Action accrued according to the fform of this Act without setting forth the Special Matter or the Incumbent or his Executors or Administrators may sue and recover on the Sheriffs Bond against such Sheriff and his Sureties the Tobacco or Money which such sheriff shall or ought to have collected with Interest thereon from the Time the said Tobacco or Money shall respectively become due and payable.

Liber R. G.
1773
[Penalty on
Sheriffs ne-
glecting to
pay to the
Incumbents
the Tobacco
and Money
they have
received.]

p. 297

And be it enacted that every Sheriff on Information that any Inhabitant of his County is about to abscond or remove his Effects from the Place of his Residence may and shall at any Time between the last Day of February and the tenth Day of August yearly apply himself to some Justice of his County and on Oath thereof made by the Sheriff or some other Credible Person (which Oath the said Justice shall return to the next County Court) such Justice shall give his Warrant and thereby direct and empower such Sheriff to execute such Inhabitant or his Effects for the Tobacco or Money as the Case may require and such Sheriff shall make Execution therefor without any Fee but if such Inhabitant will give the Sheriff sufficient security for Payment he shall take the same and not proceed to any Execution therefor.

[Persons
about to
abscond may
be executed,
&c.]

Liber R. G.
 1773
 [Nothing
 contained in
 this Act to
 be taken to
 influence
 the Deter-
 mination of
 any Ques-
 tion respect-
 ing the Va-
 lidity of the
 Act for the
 Establish-
 ment of re-
 ligious
 Worship,
 &c.]

And Whereas a Diversity of Opinion is entertained by the Upper and Lower Houses of Assembly of this Province respecting the Validity of the Act entitled "An Act for the Establishment of Religious Worship in this Province according to the Church of England and for the Maintainance of Ministers" And Suits are now depending on the Validity of that Act and it being reasonable that neither this Act nor any thing herein contained should be taken or construed to influence the Determination of any Question respecting the Validity or Invalidity of the said Act.

Be it therefore enacted and declared that neither this Act nor any Clause Expression Matter or Thing herein contained shall be taken or construed to be taken in any Manner whatsoever to influence the Determination of any Question respecting the Validity or Invalidity of the said Act.

This Act to continue twelve Years and untill the End of the next Session of Assembly which shall happen after the End of the said twelve Years.

By the Lower House of Assembly Dec. ^r 21. st 1773 Read and Assented to Signed by Order Jn. ^o Duckett Cl. Lo: Ho.	<table border="0"> <tr> <td>On Behalf of the Right Honble the Lord Pro- prietary of this Province I will this be a Law Rob.^t Eden</td> <td> <table border="0"> <tr> <td>By the Upper House of Assembly Dec.^r 21.st 1773 Read and Assented to Signed by Order U. Scott Cl. Up. Ho:</td> </tr> </table> </td> </tr> </table>	On Behalf of the Right Honble the Lord Pro- prietary of this Province I will this be a Law Rob. ^t Eden	<table border="0"> <tr> <td>By the Upper House of Assembly Dec.^r 21.st 1773 Read and Assented to Signed by Order U. Scott Cl. Up. Ho:</td> </tr> </table>	By the Upper House of Assembly Dec. ^r 21. st 1773 Read and Assented to Signed by Order U. Scott Cl. Up. Ho:
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By the Upper House of Assembly Dec. ^r 21. st 1773 Read and Assented to Signed by Order U. Scott Cl. Up. Ho:				

The great Seal
in wax appendant

9 Sides

No. 29 An Act for raising and applying Money towards erecting and
 p. 298 maintaining a Light-House on Cape Henry—

[Preamble.] Whereas his Majesty's Colony of Virginia by Act of the General Assembly thereof have granted a Sum not exceeding six thousand Pounds Current Money of the said Colony for the erecting and finishing a good and substantial Light-House at a convenient Place on the Head Land of Cape Henry and for purchasing and placing Buoys on such Schoals of the Bay of Chesapeake as may be Necessary and also for placing and constantly keeping a Light in the said House and furnishing the same with proper Necessaries untill the Duty of four pence per Ton of the Burthen of each Ship or Vessel granted by the said Act shall amount to a Sum sufficient to reimburse what of the said six thousand Pounds shall be expended and thereafter have granted a Duty of one Penny half Penny per Ton for and towards the Support of the said Light House and as such Light House and Buoys would be equally beneficial to the Trade and Navigation of this Province as to the Trade and Navigation of Virginia it is reasonable that this Province should join with Virginia in the Expence thereof.

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and

the Upper and Lower Houses of Assembly and the Authority of the same That the Directors and Managers for erecting and finishing the said Light House or causing the same to be erected and finished already appointed or hereafter to be appointed by Act or Acts of the General Assembly of the said Colony of Virginia or such of them as are or shall be empowered by such Act or Acts of the said General Assembly of Virginia to lay out and expend the said six thousand Pounds or any Part thereof shall be and are hereby empowered for this Province to lay out and expend any Sum or Sums of Money as shall be by them thought necessary not exceeding Three thousand six hundred Pounds Current Money of Mary Land in the whole in and towards the Expences of Building and finishing the said Light House purchasing and placing such Buoy as aforesaid and also placing and constantly keeping a Light in the said House and furnishing the same with Proper Necessaries jointly with the Money so granted by the Colony of Virginia and in proportion thereto as Three bears to five And at such Time or Times as they shall make any Certificate or Certificates to the Governor or Commander in Chief of Virginia whereon to obtain his Warrant or Warrants for the Payment of any Part of the Money granted as aforesaid in Virginia it shall and may be Lawful for them to draw their Order or Orders to such Person or Persons as they shall think proper on the Commissioners for emitting Bills of Credit for the due Proportion aforesaid of this Province all which Orders the said Commissioners are required to pay out of the Monies hereinafter for that Purpose appointed.

Liber R. G.
1773
[Managers
for erecting,
&c. a Light-
House, ap-
pointed by
the Assem-
bly of Vir-
ginia, im-
powered to
act for this
Province,
&c.]

p. 299

And be it further enacted that the Treasurers of the respective Shores on or before the tenth Day of February next shall respectively pay to the said Commissioners all Monies now in their Hands belonging to the Public of this Province over and above the Sum of three hundred pounds Current Money and shall from time to time within two Months after their Receipt of any other such Moneys which with the Money then in their Hands will exceed the said Sum of three hundred Pounds Current Money pay such Excess to the said Commissioners untill the said Sum of three thousand six hundred Pounds Current Money shall be by them fully paid into their Hands out of which Moneys to be paid by the Treasurers to the Commissioners aforesaid the said Commissioners shall pay the Orders to be drawn on them as aforesaid if sufficient shall in that manner have come to their Hands at the time such Orders shall be presented to them for Payment but if sufficient shall not have come to their Hands then the Commissioners aforesaid shall pay the said Orders out of any other Money in their Hands belonging to the Public.

[Treasurers
of each
Shore to pay
all the pub-
lic Monies
in their
Hands, over
and above
300 l. Cur-
rency, to the
Commission-
ers for
emitting
Bills of
Credit, till
3600 l. be
paid, &c.]

And for Repayments of the said Sum of Three thousand six hundred Pounds Current Money. Be it enacted that from and after

Liber R. G. the first Day of February next there shall be paid by the Masters and Owners of all Ships and other Vessels coming into or going out of this Province (other than from Virginia once in every Voyage at the Time of clearing out the Duty of four pence Current Money per Ton of the Burthen of each Ship or Vessel untill the said Sum of three thousand six hundred Pounds Current Money shall be thereby fully raised And such Notice as hereinafter directed of the raising of the same Duty shall be given by the Commissioners aforesaid and thereafter untill the first Day of February Seventeen hundred and Eighty six and no longer a Duty of one Penny half Penny Current Money Per Ton for and towards the Support of the said Light House to be collected by the Naval Officer of the Respective District where the said Ship or Vessel shall clear before the Delivery of her Clearance by such Naval Officer.

[Naval Officers to render an Account yearly to the Commissioners of the Monies received by them, &c.] And be it further enacted that the several Naval Officers within this Province shall Yearly on the twentieth Day of October render to the Commissioners aforesaid an Account on Oath of all Monies by them respectively received in Virtue of this Act up to the twenty Ninth Day of September preceding and after deducting five per Cent for Collection shall pay the Ballance to the said Commissioners at the time of Rendering the same Accounts. And to the End that the said Duty of four Pence Current Money per Ton may continue no longer than Necessary the Commissioners aforesaid shall when they shall judge it probable that one full Years Collection will with what shall have been before Received be more than Necessary to make up the said Sum of three thousand six hundred Pounds Current Money require the several Naval Officers aforesaid to return an Account to them of the said Duty from the Time of their last Account thereof to the Day which the said Commissioners shall appoint for rendering such Accounts which the said Naval Officers are hereby directed to do And as soon as it shall appear to the said Commissioners that sufficient hath been received by the said Naval Officers they shall give Notice thereof to the Naval Officers aforesaid and from thenceforth the said Duty of four pence per Ton shall cease and the said Duty of one Penny half Penny per Ton shall commence—

p. 300

[The Duty of One Penny Half-penny per Ton to be applied, jointly with that of Virginia, towards the Support of the Light-House.] And be it further enacted that from the Time of the Commencement of the said Duty of one Penny half Penny per Ton until the Expiration thereof the Produce thereof or what thereof may be Necessary may be applied jointly with the one Penny half Penny per Ton granted in Virginia by the Act of the general Assembly thereof in the Proportion And by the Directors and Managers aforesaid for and towards the support of the said Light House and may be drawn for in manner aforesaid And shall be paid by the said Commissioners out of the Money by them to be received on the said Duty of one Penny half Penny per Ton And the Directors and Managers afore-

said are to render to the General Assembly of this Province an Account of the Expenditure of the Monies aforesaid hereby granted at the Time or Times and in the manner they render any Account of the Expenditure of the Money granted as aforesaid by the Colony of Virginia—

Liber R. G.
1773

And be it enacted that all the Money which shall arise on the said Duty of Four pence per Ton as well as the Surplus if any of the said Duty of one Penny half Penny per Ton shall belong to the Public of this Province And shall from time to time as the same shall come to the Hands of the Commissioners aforesaid be lent out on the same Terms and in like Manner as other Public Moneys in their Hands And the same with the Interest thereof shall be applied and disposed of as the General Assembly of this Province shall direct and appoint.

[Surpluses to belong to the Public, and to be applied by the Commissioners as other Monies in their Hands.]

By the Lower House of
Assembly Dec.^r 21.st 1773
Read and Assented to
Signed by Order
Jn.^o Duckett Cl. Lo: Ho:

On behalf of the Right
Honble the Lord Pro-
prietary of this Province
I will this be a Law
Rob^t Eden

By the Upper House of
Assembly Dec.^r 21.st 1773
Read and Assented to
Signed by Order
U. Scott Cl. Up. Ho:

14½ Sides

The great Seal
in Wax appendant

No. 30 An Act for the Relief of the poor within the County of Baltimore.

p. 301

Whereas the Inhabitants of Baltimore County by their humble Petition to this General Assembly have set forth that the Necessity Number and continual Increase of the poor within the said County is very great and exceedingly burthensome which might be greatly lessened by a due Regulation and Employment of them and praying that a Law may pass for that Purpose and to enable the Commissioners for emitting Bills of Credit to pay and Advance to the Trustees for the Use of said County the Sum of two thousand four hundred Pounds Sterling in Bills of Credit and that the said Sum may be repayed to the Public with Interest by the said County

[Preamble.]

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the Same That there shall be an Alms and Work House erected built and set up in the said County

[An Alms and Work-House to be erected in Baltimore County.]

And Whereas by an Act entitled an Act for emitting Bills of Credit and applying Part thereof made and passed this present session of Assembly thirty five thousand two hundred Dollars of the Bills to be emitted by Virtue of the said Act are appropriated for Loan to the Inhabitants of Baltimore County but before the same can be lent out the Division of that County will take place and Part thereof will become a distinct County by the Name of Harford Be it therefore enacted that Eleven thousand Seven hundred and

[Bills of Credit, to the Amount of 11733½ Dollars, and no more, to be lent to the Inhabitants of Harford County.]

Liber R. G. thirty three Dollars and one third Part of a Dollar of the said
 1773 Dollars so appropriated for Loan to the Inhabitants of Baltimore County shall be and are hereby appropriated for Loan to the Inhabitants of the said Part of Baltimore which will be a distinct County by the Name of Harford for the Time and in the Manner that Bills of Credit are appropriated for Loan to the Inhabitants of other Counties and no more of the said Bills appropriated for Loan to the Inhabitants of Baltimore County shall be lent to the Inhabitants of Harford County as such any thing in the said Act to the Contrary Notwithstanding.

[Commissioners to pay to the Trustees for the Poor 10666 $\frac{2}{3}$ Dollars out of the Bills of Credit appropriated for Baltimore County.] And be it further enacted that the Commissioners aforesaid shall advance and pay to the Trustees for the Poor of Baltimore County by this Act appointed or the Major Part of them or their Order or Orders ten thousand Six hundred and Sixty Six Dollars and two third Parts of a Dollar out of the Residue of the said Bills of Credit appropriated by the said Act for Loan to the Inhabitants of Baltimore County aforesaid which said Trustees or the Major Part of them are hereby authorized and required to receive and apply the same to the Uses and Purposes herein after Directed And for the Repayments of the said ten thousand Six hundred and Sixty Six Dollars and two third parts of a Dollar together with Interest thereon at the Rate of four per Cent by the Year.

[Taxable Inhabitants of Baltimore County to pay 12 lb. of Tobacco per poll yearly till 10666 $\frac{2}{3}$ Dollars be raised, &c.] Be it enacted that each and every of the Taxable Inhabitants of that Part of Baltimore County which after the Division of the said County takes place will still retain the Name of Baltimore shall until the Whole of the said ten thousand six hundred and sixty six Dollars and two third Parts of a Dollar with Interest thereon as aforesaid and also the Sheriffs Salary of five per Cent for Collection thereof be fully raised on the said taxable Inhabitants yearly and every Year pay to the Sheriff for the Time being of Baltimore County twelve pounds of Tobacco in Tobacco or Money within the Times and in the Manner that the public and County Levies are payable the first of which payments to be made in the Year Seventeen hundred and Seventy four And the Sheriff aforesaid may and shall collect and levy distrain and execute for the same in like Manner as he may collect and Levy distrain and Execute for the Public or County Levy and after deducting and retaining his Commission for Collection shall pay what money shall remain of the said twelve pounds of Tobacco per Poll rating the same in Money as the same is payable for each Respective Year to the Commissioners aforesaid on or before the thirty first Day of August in each Year which Payments shall be placed by the Commissioners aforesaid to the Credit of Baltimore County in the first Place to sink the Interest due on the Money to be drawn out in Virtue of this Act and in the next Place towards the Discharge of the Principal so far as the same will extend and when the whole of the Principal shall be paid in

with Interest as aforesaid the said Commissioners shall give Notice to the Sheriff aforesaid and then there shall be no further years Tax by Virtue of this Act—

Liber R. G.
1773

And be it further enacted That in Case the Sheriff shall not make such Payment within the Time limited the Commissioners aforesaid shall and may within thirty Days thereafter prosecute a Writ of scire facias against him and his Sureties on his Office Bond in like manner as they may do on Bonds taken by them on the Loan of Money and shall recover the like Judgment and have the like Execution and on such Proceeding the Sheriff aforesaid shall be chargeable with and pay Interest at the Rate of four per Cent by the Year from the Time he ought to have paid the Money aforesaid untill he shall actually pay the same

[Sheriff not making Payment may be prosecuted by the Commissioners in like Manner as on Bonds taken by them on Loan.]

And be it enacted That if any of the Taxable Inhabitants chargeable with the said Tax shall pay the same in Tobacco then the Sheriff aforesaid shall on the second Day of the August Court next thereafter for his County sell the same in open Court for the Benefit of the said County and the said Sheriff shall in his Account with the said County be allowed Yearly for all insolvent Taxes from whom the said twelve Pounds of Tobacco per poll cannot be collected as well as for the Taxes who actually pay in Tobacco and shall be charged and chargeable in the said Account with the Price for which the Tobacco shall be sold by him and shall at the November Court next after his last Collection account for and pay to the Justices of Baltimore County aforesaid for the Use of the said County the Surplus of the said Tax remaining after the Payment of the Principal and Interest as aforesaid

[Money paid in Tobacco to be sold in open Court, &c.]

p. 303

And be it further enacted that for the Time being Messieurs Charles Ridgely William Lux John Moale William Smith Samuel Purviance of Baltimore Town Andrew Buchanan and Henry Dorsey Gough are hereby appointed and named Trustees for the poor of Baltimore County and are empowered with full and sufficient Authority for discharging the several Offices Duties and Trusts reposed in and required of them by this Act the which Persons appointed Authorized and named or the Major Part of them in Case of the Death or Absence of any one are hereby required with all convenient Speed to meet at such Places within the said County as to them shall seem meet to Qualify themselves for the Office of Trustees for the poor of the said County which they are to do by taking the several Oaths appointed by Law to be taken to the Government signing the Oath of Abjuration and repeating and signing the Test and also taking the following Oath to wit "I, A. B, do swear that I will duly and faithfully discharge the Dutys and Trusts committed to me as a Trustee for the poor of Baltimore County according to the best of my Skill and Knowledge and an Act of Assembly en-

[Trustees for the Poor appointed.]

[Their oath.]

Liber R. G.
1773

titled an Act for the Relief of the poor with the County of Baltimore So help me God." The which Oaths are to be administered by any of the four Persons last named to the Person first named or in his Absence to any one of the three Persons first named that shall be there present the which Person being Sworn as aforesaid shall administer the Oaths aforementioned to all the rest and so successively the Person first named that shall be present shall always administer the said Oaths to any that have been absent or that shall hereafter be elected and chosen Pursuant to the Directions of this Act to supply the Place of any that shall be dead or removed out of the County or of any who shall refuse or neglect to Qualify and act as a Trustee when elected and chosen Pursuant to the Directions of this Act And the aforesaid Persons or the Major Part of them being sworn as aforesaid shall be constituted and Qualified as Trustees for the poor of their said County and as such are hereby invested with full Power and Authority as a Body politic to plead and be impleaded to sue and be sued to defend and be defended to answer and be answered by the Name of the Trustees for the Poor of Baltimore County in all and every Cause Complaint and Action Real Personal or mixt of whatsoever kind or Nature it shall be in any of the Courts of Judicature within this Province and by that Name they and any of them and their Successors shall and they are hereby enabled to take hold possess and enjoy any Gift Decoration or Present which shall or may hereafter be given devised or bequeathed by any Person or Persons whatsoever to them or any of them for or towards the Support and Maintainance of the poor in the County aforesaid and they or any of them may receive by Way of Subscription any Sum or Sums of Money which shall or may be given for the better and more speedy promoting the Benefit and Good by this Act intended and that they have full power Authority Lawful Capacity and Ability to purchase take hold receive enjoy and have to them and their Successors forever any Lands Tenements and Hereditaments not exceeding the Yearly Value of one thousand Pounds of any Person or Persons whatsoever and are hereby impowered and Authorized to use one common Seal in their Business relating to the said Corporation and the same at their Pleasure to change and alter and that the said Persons so incorporated the Longest Livers and Successors of them shall be the true sole and undoubted Trustees in perpetual Succession forever to be continued in way and Manner hereafter specified with full and absolute Power Liberty and Authority in the making and ordaining such Laws Orders and Rules for the better relieving regulating and setting the Poor to Work and punishing Vagrants Beggars Vagabonds and other Offenders and for the good Government of the said Alms and Work House in their Respective Counties as to them and their Successors from time to time seem most fit and requisite all which shall be observed by the Overseer of such

[Trustees
invested
with full
Power as a
Body
Politic.]

p. 304

Alms and Work-House and by all poor Beggars Vagrants Vagabonds and other Offenders in such Alms and Work House under the Penalties therein contained Provided always that the said Rules Laws and Orders be no wise contrary to the Laws of this Province.

Liber R. G.
1773

And to perpetuate the Succession of the aforementioned Number of Trustees for the poor in the said County Be it enacted that as often as any one or more of the said Trustees for the poor shall die or remove himself out of the said County that then and so often the Trustees for the time being then surviving and remaining within the said County or the Major Part of them be and are hereby Authorized and required to elect nominate and choose one or more of the Principal or better Sort of the Inhabitants of the County not being related in Blood to any other of the then Trustees into the Place and Room of the said Trustee so dead or removed and so to fill up the full Number of Trustees for the said Alms and Work House the which Persons elected and Chosen from time to time are always to be Qualified in the same manner as before by this Act directed

[In Case of the Death or Removal of any of the Trustees, the surviving ones to choose others in their Room.]

And be it further enacted that every Person by this Act appointed as a Trustee for the Poor or that shall hereafter be nominated and appointed as such pursuant to the Directions hereof and who shall wilfully refuse or delay to take upon him the said Office shall forfeit and pay for every such Refusal or Delay the Sum of Ten pounds Current Money Provided that No Member of the Upper or Lower House of Assembly Clergyman Attorney or Practising Physician be obliged to accept of the Office of Trustee aforesaid or forfeit as aforesaid for refusing to accept and take upon them the same and that no Provincial or County Magistrate or Sheriff or any one who hath not the Qualification to be a Member of the Lower House of Assembly if Elected shall be Capable to be chosen or act as a Trustee aforesaid nor shall any Person be compellable to serve in less than three Years after he hath served or paid the said Forfeiture for not serving as a Trustee aforesaid

[Penalty on Trustees refusing to act, &c.]

p. 305

And be it further enacted that the said Trustees or the Major Part of them appointed as aforesaid shall and they are hereby authorised directed and required out of the Money a^d to buy and purchase in fee a Quantity of Land in the said County not exceeding one hundred Acres near and convenient to Baltimore Town but not within half a Mile thereof and to agree and contract with a Workman or Workmen to undertake erect build and in a Workman-like manner to complete and finish on the said Land when so purchased good strong sufficient and convenient Houses Habitations and Dwellings for the Reception of the poor of said County and if such Vagrants Beggars Vagabonds and other Offenders as shall be committed by Virtue of this Act and shall appropriate one part thereof to be called the Alms-House to and for the Reception and Lodging of the Poor of the said County and another part or parts thereof

[Trustees to purchase Land, and agree with Workmen to erect an Alms and Work-House, &c.]

Liber R. G. 1773 to be called the Work-House to and for the Reception and Lodging of all such Vagrants Beggars Vagabonds and other Offenders as shall be committed by Virtue of this Act and the aforesaid Land when bought and the aforesaid Houses Habitations and Dwellings when built shall be and are hereby enacted and declared to be vested in the said Trustees by Virtue of this Act as this Estate and Inheritance for the Uses and Purposes by this Act directed and expressed—

[And to purchase Beds and other Necessaries for the Use and Employment of the Poor, &c.]

And be it further enacted That the said Trustees or the Major Part of them shall and they are hereby Authorized directed and required after the Houses Habitations and Dwellings aforesaid shall be completely erected and finished to buy and purchase for the Use and Employment of the poor Vagrants Beggars and other Offenders who shall be committed by Virtue of this Act sufficient Beds Bedding Working-Tools Kitchen Utensils Cows Horses and other Necessaries And the said Trustees are hereby directed and required to keep a fair distinct and clear Account in Writing of all the Monies by them expended and paid by Virtue of this Act to return a true Copy thereof and shew and produce the Vouchers to support the same to the Justices of the County aforesaid at November Court to be by the said Justices inspected and Examined

[Justices to levy 15 lb. of Tobacco per Poll in 1774, &c.]

And be it further enacted that the Justices of the County Court aforesaid for the Time being shall and they are hereby impowered to assess and levy on the taxable Inhabitants of the said County at the Time of their laying their County Levy in the Year Seventeen hundred seventy four a Quantity not exceeding fifteen Pounds of Tobacco Per Poll together with the Sheriffs salary of five per Cent for collecting the same which said Assessment shall be made levied collected and paid in the same manner as herein before by this Act is Directed which said Tobacco when so as aforesaid collected shall be paid by the Sheriff of said County to the Order of the Trustees ^{af.^d} or the Major Part of them under their common Seal who are hereby Authorized and required to receive and apply the same to and for the Use Benefit and Charge of Maintaining the poor Vagrants Beggars Vagabonds and other Offenders in the purchasing Provisions and other Necessaries for Use and Labour in paying a Doctor for his Salary and Medicines in providing Men and Women Servants to be under the Management and Direction of an Overseer of such Alms and Work-House hereafter to be appointed and in purchasing Materials for the Use and Employment of all the Poor and all Beggars Vagrants Vagabonds and other Offenders who shall be able to work and who shall be committed by Virtue of this Act—

[Trustees to appoint an Overseer of the Alms and Work-House, who is to give Bond with Sureties.]

And be it further enacted That the said Trustees or the Major Part of them shall and they are hereby Authorized obliged directed and enjoined to meet together on the first Monday of May Yearly

and at all such other Times as they shall judge Necessary at the Alms and Work House in the said County during the Continuance of this Act to appoint a fit Person of the said County to be the Overseer of the Alms and Work House af.^d and such other Proper Officers and Servants as to them shall appear Necessary and they or the Major Part of them shall and may agree and they are hereby empowered to pay the said Overseer as a Salary out of the Tobacco and Money raised Collected as aforesaid a Sum not exceeding Eighty Pounds Current Money per Annum and so pro rato during his Continuance in Office and shall then take and the said Overseer and every other Overseer to be appointed shall and he is hereby obliged to enter into a Bond with sufficient Sureties in the Penalty of two hundred Pounds Current Money payable to the said Trustees for the poor Conditioned as follows to wit "The Condition of the above Obligation is such that if the above bound A B as Overseer of the Alms and Work House in Baltimore County shall well and truly discharge his Duty in the said Station and more particularly according to the Directions of the Act of Assembly intituled, An Act for the Relief of the Poor within the County of Baltimore then the above Obligation to be void otherwise to remain in full Force and Virtue in Law—

Liber R. G.
1773

[The Condition.]

And be it further enacted That the said Trustees or the Major Part of them shall and they are hereby directed and empowered to remove such Overseer and all other Officers by them to be appointed in Pursuance of this Act at their Discretion and to proceed to choose others in their Place and Stead.

[Overseer and other Officers to be removed by the Trustees at Discretion.]

And be it further enacted That the said Trustees or the Major Part of them shall and they are hereby Directed and enjoined to meet at the Alms and Work House in the said County Four Times in the Year to wit, in the first Week of February May August and November or oftener if it should by them be deemed Necessary to make and ordain by a Majority of Votes of such as may be present all such good and wholesome Ordinances Rules and Bye Laws as they shall think convenient and Necessary for the Direction Government and Support of such Alms and Work House and also for the Maintenance and Employment of all such Poor Persons as shall be taken under their Care and of all Vagrants Beggars Vagabonds and other Offenders that shall be committed thereto by Virtue of this Act all which Ordinances Rules and Bye Laws shall be from time to time inviolably observed by all Persons concerned according to the Tenor and Effect thereof

[Trustees to meet Four Times a Year to make Bye-Laws, &c.]

p. 307

And be it further enacted that the said Overseer shall keep a fair and regular List of all poor Beggars Vagrants Vagabonds and other Offenders who shall be committed to the Alms and Work House af.^d and also fair and Regular Accounts in Writing of all Materials and other Things coming to his hands as Overseer aforesaid and of all

[Overseer to keep regular Lists and Accounts, to be laid before the Trustees.]

Liber R. G. Expenses and Charges attending their Maintainance and Support
 1773 and of all Monies received by him for the Sale of the Produce of their Labour and otherwise as Overseer aforesaid and shall lay the said Lists and Accounts before the Trustees or the Major Part of them at their Meetings at the Times by this Act directed or oftener if by them required.

[Poor, &c.
 if able, to
 be com-
 pelled to
 work.] And be it further enacted That the said Overseer may compel or oblige any of the said from Beggars Vagrants and Vagabonds or other Offenders in their Respective Alms and Work House if of sufficient Ability to work to labour and Work and the Produce of their Labour he is hereby directed and impowered to sell and apply the Money arising from such Sale to their Maintainance and Support.

[Disorderly
 Persons to
 be com-
 mitted to the
 Work-
 House, un-
 less they can
 find Se-
 curity.] And be it further enacted That upon Complaint made that any Person from his or her Disorderly Conduct gives Disturbance to his or her Neighbourhood and is likely to become chargeable to the said County it shall and may be Lawful for any one Magistrate of the said County if upon hearing the Party he shall adjudge the Complaint to be well founded to commit such Disorderly Person residing within the said County to the said Work House for any Time not exceeding three Months unless He or She shall find Security at the Discretion of the Magistrate aforesaid in any Sum not exceeding twenty Pounds Current Money for his or her good Behaviour and more orderly Demeanor during the Space of six Months and also upon Complaint and due proof made by any one Trustee for the Poor or any Overseer of any Alms and Work House to any one Magistrate of the said County that any Person in the said Work-House hath behaved and Demeaned him or herself in a Disorderly Manner or hath refused or neglected to do & perform his or her daily Labour and Task or hath refused or neglected to obey keep and observe any of the Ordinances Rules and Bye Laws of the said Corporation to order and Direct such moderate and proper Correction not exceeding thirty nine Lashes for any one Offence to be given to such Offender as the nature of the Case shall require

[Persons
 misbehav-
 ing to have
 moderate
 Correction,
 &c.]

[Trustees to
 appoint
 what Poor
 shall be re-
 ceived, &c.]
 p. 308 And be it further enacted That it shall and may be Lawful to and for any of the said Trustees to direct and appoint under their hand in Writing what poor shall be received into such Alms and Work House and it shall and may be Lawful for any one Justice of the Peace for the said County and for any Person Authorized and appointed by such Justice to apprehend or cause to be apprehended and committed to the said Work House any Rogues Vagrants Vagabonds Beggars and other idle dissolute and Disorderly Persons found Loitering or residing in the said County who follow no Labour Trade Occupation or Business and have no visible Means of Subsistence whereby to acquire an Honest Livelihood there to be kept at hard Labour for any Term not exceeding three Months and the

Overseer of such Alms and Work House is hereby required to receive any Poor appointed as aforesaid to be received and any Rogue Vagrant Vagabond Beggar and other Idle Dissolute and Disorderly Persons so as aforesaid committed and employ them according to the Tenor of such Commitment

Liber R. G.
1773

And be it further enacted That every Person who shall be received into the Alms or Work House and there receive Relief shall upon the Shoulder of the Right Sleeve of the Uppermost Garment of every such Person in an open and Visible Manner wear such Badge or Mark as is herein after mentioned and Expressed That is to say the Letters PB in large Roman Characters cut either in Red or blue Cloth as by the Overseer of the Poor it shall be Directed and appointed And if any such Poor Person shall neglect or refuse to wear such Badge or Mark as aforesaid and in manner as aforesaid it shall and may be Lawful for any one of the Trustees aforesaid to punish every such Offender for every such Offence either by ordering his or her Relief or usual Allowance to be abridged suspended or withdrawn or otherwise by ordering such Offender to be whipt not exceeding twenty Lashes and kept to hard Labour for any Number of Days not exceeding twenty one as to the said Trustee in his Discretion it shall most seem meet and if any Overseer of the Poor shall receive into the Alms and Work House or shall relieve any such Person not having or wearing such Badge or Mark as aforesaid and be thereof convicted upon the Oath of one or more credible Witness or Witnesses shall forfeit and pay the Sum of Five Pounds Current Money—

[Persons received into the Alms or Work-House to wear a Badge, &c.]

And be it further enacted That whosoever shall presume either to set up a Booth Stall or other Convenience for the selling of Strong Liquors on the Land purchased in the County aforesaid for the Use of an Alms or Work House or shall commit any kind of Trespass thereon or shall sell or dispose of any strong Liquor or other Matter or thing whatsoever to any poor or other Person entertained in such Alms and Work House shall for every such Offence forfeit and pay the Sum of Ten Pounds Current Money

[Penalty on Persons selling strong Liquors, &c. to the Poor.]

And be it further enacted That all and every the Penalties and forfeitures herein before by this Act Directed and inflicted shall and may be recovered in the County Court of said County by Action of Debt founded on this Act or Indictment wherein no Essoin Protection or Wager of Law or more than one Imparlanee shall be allowed any thing in this Act herein before contained to the contrary thereof in any wise notwithstanding one Moiety to the Informer the other Moiety to the Use of the Alms and Work House in which Action of Debt it shall be sufficient for the Plaintiff to alledge that the Defendant or Defendants are indebted to the Plaintiff the Sums of Money or Tobacco by this Act Directed or inflicted whereby the

[Penalties inflicted by this Act, how to be recovered and applied.]
p. 309

Liber R. G. 1773 Plaintiffs Action accrued to him according to the form of this Act of Assembly without setting forth the Special Matter—Provided a short note expressing the Cause of Action be lodged in the Office at the Time of issuing the Writ

[Sheriffs and other Officers to aid the Trustees.] And be it further enacted that all Sheriffs Bailiffs Constables and all other Officers and Ministers of Justice shall be aiding and Assisting to the said Trustees for the Poor in the said County and to all such Officers as shall be employed by them as by this Act is directed in the Execution and Performance of the said Service

[Persons sued in Pursuance of this Act may plead the general Issue, &c.] And be it further enacted That if any Person or Persons shall at any Time or Times be sued or prosecuted for any matter or thing by him or them done and executed in pursuance and Execution of this Act or of any Matter or thing in this Act contained such Person or Persons shall and may plead the General Issue and give this Act and the Special Matter in Evidence for his or their Defence and if upon Trial a Verdict shall pass for the Defendant or Defendants or if the Plaintiff or Plaintiffs shall become nonsuited or Discontinue his or their Suit then such Defendant or Defendants shall have and recover treble Costs to him or them awarded against such Plaintiff or Plaintiffs and if the Plaintiff or Plaintiffs is or are unable to satisfy the same then it shall be paid and satisfied by the Attorney who brought such Suit unless the Plaintiff or Plaintiffs shall give Security for the Costs to be approved of by the County Court

[The first named Trustee to be discharged yearly, and another to be chosen in his Stead.] And to prevent Individuals being unreasonably burthened with the Execution of this Act as Trustees for the Poor Be it enacted That at the Time of the Meeting of the said Trustees for the poor in the first Week of May Yearly the said Trustees or the major Part of them in the said County shall and may elect and choose one of the best Inhabitants of the same County to be a Trustee for the Poor of the said County in the Stead of the first named or eldest Trustee which said first named or Eldest Trustee shall be and is by Virtue hereof thence from discharged from his Office

[Persons committed to the Work-House misbehaving, to be corrected.] And be it further enacted that in all cases upon Complaint of the Overseer of said Work House to any Trustee for the poor of such Work House that any Rogue Vagrant Vagabond or other idle dissolute and Disorderly Person thereto committed and therein remaining hath behaved and demeaned himself in a disorderly Manner or hath neglected and refused to do and perform his or her daily Labour and Task or hath neglected or refused to obey keep and observe any of the Ordinances Rules and Bye Laws of the said Corporation it shall and may be Lawfull for such Trustee to order and direct such moderate and proper Correction not exceeding thirty

Nine Lashes for any one Offence to be given to any such Offender as the Nature of the Case shall require— Liber R. G. 1773

By the Lower House of Assembly Dec. ^r 21. st 1773 Read and Assented to Signed by Order Jn. ^o Duckett Cl. Lo: Ho:	{ On behalf of the Right Honble the Lord Proprietary of this Province I will this be a Law. Rob. ^t Eden	{ By the Upper House of Assembly Dec. ^r 21. st 1773 Read and Assented to Signed by Order U Scott Cl. Up: Ho:
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48½ Sides

The great Seal
in wax appendant

No. 31 An Act for the Continuance of an Act entitled "An Act for Regulation of the Staple of Tobacco and for preventing Frauds in his Majestys Customs" p. 310

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Act entitled "An Act for the Regulation of the staple of Tobacco and for preventing Frauds in his Majestys Customs passed at this present Session of Assembly for and during three Years and to the End of the next Session of Assembly which should happen thereafter be hereby continued for and during twelve Years and to the End of the next Session of Assembly which shall happen thereafter.

[An Act for the Regulation of the Staple of Tobacco, &c. further continued.]

By the Lower House of Assembly Dec. ^r 22. ^d 1773 Read and Assented to Signed by Order Jn. ^o Duckett Cl. Lo: Ho:	{ On Behalf of the Right Honble the Lord Proprietary of this Province I will this be a Law Rob. ^t Eden	{ By the Upper House of Assembly Dec. ^r 22. ^d 1773 Read and Assented to U Scott Cl. Up: Ho:
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2½ Sides

The great Seal
in Wax appendant

No. 32 An Act to enable the Undertaker for building the Stadt House to cover the same with Copper.

Whereas by the Act entitled "An Act for emitting Bills of Credit and other Purposes therein mentioned made at a Session of Assembly begun and held at the City of Annapolis the seventeenth Day of November seventeen hundred and sixty nine the Stadt House now building in the City of Annapolis is directed to be well and securely covered with good Slate Tile or Lead and the major Part of the Superintendments appointed by that Act have by Virtue thereof contracted and agreed with Charles Wallace the Undertaker for the said Building to cover the same with Slate But forasmuch as at is represented to this General Assembly that a Slate Covering will very frequently require Repairs and be subject to other Inconveniences [Preamble.]

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper

Liber R. G. 1773
[Stadt-
House to be
covered with
Copper in-
stead of
Slate, &c.]
[An Iron
Rod to be
fixed, &c.]

and Lower Houses of Assembly and the Authority of the same That the said Stadt House shall be covered with Copper of the Thickness of Eighteen Ounces four Penny Weight at the least to every foot Square of the same Covering instead of Slate Tile or Lead any thing in the said Act or Contract notwithstanding

And to guard the said Stadt House as far as may be against any Accident from Lightning Be it further enacted that the said Undertaker shall fix place and secure in the best Manner an Iron Rod pointed with Silver or Gold of six feet at least above the Heights of the Cupola of the said Building and conducted at least six feet in the Ground

[Allowance
to Charles
Wallace for
the differ-
ence of the
Expence.]

And be it further enacted That the Commissioners for emitting Bills of Credit shall pay to the said Charles Wallace or his Order out of the Bills of Credit be emitted in Virtue of the Act intituled “An Act for emitting Bills of Credit and apply Part thereof passed this present Session and by the same Act directed to be applied as the General Assembly should appoint so many of the said Bills of Credit as shall amount to one Thousand four hundred and fifty five Pounds two Shillings and Eight Pence Sterling at the rate of four Shillings and six pence Sterling per Dollar in full for the Difference of the Expence between a Copper and Slate Covering and for the Expence of the said Iron Rod

[Who is
to give
Security.]

And be it enacted that before the Commissioners of the Loan Office shall deliver out the aforesaid Sum of fourteen hundred and fifty five Pounds two Shillings and Eight Pence Sterling to the said Charles Wallace they shall and are hereby required to take good Security from said Undertaker in double the Sum so delivered out with Condition that the said Sum of Sterling Money shall be repaid into said Office with four per Cent Interest for the same for the Benefit of the Public in Case a Coat of Copper be not put on said Stadt House on or before the first Day of June seventeen hundred and seventy five in a Compleat and Workmanlike manner so as to answer the Purpose of a safe and secure Covering.

No. 33
[Commis-
sioners for
emitting
Bills of
Credit to
pay the pub-
lic Credi-
tors their
Allowances
on the Jour-
nal of Ac-
counts, as
soon as a
sufficient
Number of
Bills shall
be printed
and signed.]

By the Upper House of
Assembly December 22.^d
1773 Read and Assented
to
Signed by Order
Jn.^o Duckett Cl. Lo. Ho.

On Behalf of the Right
Honble the Lord Pro-
prietary of this Province
I will this be a Law
Rob.^t Eden

By the Upper House of
Assembly Decem.^r 22.^d
1773 Read and Assented
to
Signed by Order
U Scott. Cl. Up. Ho.

5 Sides

The great Seal
in Wax appendant

An Act for Payment of the Public Creditors.

Be it enacted by the Right Honourable the Lord Proprietary by and with the Advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That as soon as a sufficient Number of the Bills of Credit to be emitted by

Virtue of the Act entitled An Act for emitting Bills of Credit and applying Part thereof shall be printed numbered and signed the Commissioners for emitting Bills of Credit shall and they are hereby authorized and required to deliver out of the Eighty Thousand Dollars to be emitted by Virtue of the said Act for the Purposes therein particularly mentioned and for such other Purposes as should be appointed by Act of the General Assembly to the several Persons their Executors Administrators Assigns or Orders who are allowed by the Public or to such of them as shall offer to receive the same the Value according to the Rate of one Dollar and two third Parts of a Dollar for every hundred Pounds of Tobacco and according to the Rate of one Dollar for every seven Shillings and six pence in Money allowed to them Respectively as they appear to be allowed stated and ascertained by the Journal of Accounts Assented to this present Session by Both Houses of Assembly.

Liber R. G.
1773

p. 312

By the Lower House of
Assembly Dec.^r 22.^d 1773
Read and Assented to
Signed by Order
Jn:^o Duckett Cl. Lo: Ho:

On Behalf of the Right
Honble the Lord Pro-
prietary of this Province
I will this be a Law
Rob.^t Eden

By the Upper House of
Assembly Dec.^r 22.^d 1773
Read & assented to
Signed by Order
U. Scott Cl. Up. Ho.

3 Sides
Tot.^l 597½ Sides

The great Seal
in Wax appendant

I Do hereby Certify that Reverdy Ghiselin Clerk of the Provincial Court and Secretarys office of the Province of Maryland this day Personally appeared before me the Subscriber one of his Lord Ships the Lord Proprietary of the Province of Maryland his Counsell of State and made Oath on the Holy Evangels of Almighty God that he carefully Examined all the Laws contained in this Book from Folio 196 to Folio 312 with the Original Acts that Passed the Great Seal

Sworn to this 22nd day of August 1774

Before Geo: Stuart

SEAL

The Seal of the Provincial Court is hereunto affixed on Behalf of Daniel Dulany Esquire Secretary of Maryland by

Reverdy Ghiselin Clerk of the Provincial Court and
Secretarys office

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, March 23-April 19, 1774.

Being the Third Session of the Assembly

Elected in May 1773.

THE RIGHT HONORABLE HENRY HARFORD,
Lord Proprietary.

ROBERT EDEN,
Governor.

PROCEEDINGS

OF THE

UPPER HOUSE OF ASSEMBLY

At a Session of Assembly, begun and held at the City of Annapolis on Wednesday the 23.^d day of March in the Third Year of the Dominion of the Right Honourable Henry Harford Esq.^r Anno Domini 1774.

U. H. J.
Liber 37
1774
Mar. 23
p. 1

Were Present.

His Excellency Robert Eden Esq.^r Governor.

The Honble	{	Benedict Calvert Esq. ^r John Ridout Esq. ^r John Beale Bordley Esq. ^r George Steuart Esq. ^r	Daniel of S. ^t Tho. ^s Jenifer Esq. ^r Benjamin Ogle Esq. ^r and Philip Thomas Lee Esq. ^r
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Mess.^{rs} Worthington and Chamberlaine from the Lower House, acquaint His Excellency that there are a sufficient number of Members met to make an House and wait His Excellency's Commands.

Benedict Calvert and George Steuart Esquires, are sent to acquaint the Members of the Lower House that His Excellency requires their Attendance in the Upper House immediately

The Lower House attend and His Excellency is pleased to make the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly.

I have nothing at this Time particularly to propose to your Consideration which would not be a Repetition of what I recommended at the opening of last Session: but having obtained Permission to return to England for a short Time on Account of some Affairs which require my Personal Attendance there, I presumed it would be agreeable to you to convene before my Departure: and therefore now meet you, and shall with the greatest pleasure be ready to co-operate with you in establishing such Regulations as may be most conducive to the welfare of this Province.

Ordered, that Benjamin Ogle and Philip Thomas Lee Esq.^{rs} be a Committee to prepare an Address in Answer to His Excellencys Speech.

Adjourned until to Morrow Morning ten of the Clock

Thursday Morning 24.th March 1774.

Mar. 24

The House met again according to Adjournment

U. H. J.
Liber 37
Mar. 24

Present as yesterday

Mess.^{rs} Contee and Ridgely from the Lower House, bring up the two following Messages Viz.^t

p. 2 By the Lower House of Assembly March 24:th 1774.

May it please your Honours,

This House hath appointed from nine oClock in the Morning until one in the Afternoon, and from three till five for its sitting every Day during this Session for the Dispatch of the Publick Business.

Signed by Order Jn.^o Duckett Cl. Lo. Ho.

By the Lower House of Assembly March 24:th 1774.

May it please your Honours.

This House hath appointed Mess.^{rs} Bond, Parran, Hawkins, Gilpin, and Contee, to join one or more of the Members of your House as a Committee to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit

Signed by Order. Jn.^o Duckett Cl. Lo. Ho.

The following Message is sent to the Lower House by Daniel of S.^t Tho.^s Jenifer Esq

By the Upper House of Assembly 24.th of March 1774.

Gentlemen,

This House hath appointed Benedict Calvert and Daniel of Saint Thomas Jenifer Esquires, to join the Members named by your House, in a Committee to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit.

Signed by order James Brooks Cl. Up.^r Ho.

Adjourned until three of the Clock in the Afternoon.

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning and Daniel Dulany Esq

Adjourned until to Morrow Morning ten of the Clock

Mar. 25

Friday Morning 25.th March 1774.

The House met again according to Adjournment

Present as yesterday.

Adjourned until three of the Clock in the Afternoon

p. 3

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

U. H. J.
Liber 37
Mar. 25

The Committee appointed to prepare an Address in Answer to His Excellency's Speech, bring in the following Viz.^t

To His Excellency Robert Eden Esq.^r Governor, and Commander in Chief in and over the Province of Maryland.

The Humble Address of the Upper House of Assembly,
May it please your Excellency.

We his Majesty's dutiful and loyal Subjects the Upper House of Assembly, beg leave to return your Excellency our Thanks for your Speech at the opening of this Session

The experience we have hitherto had of your Excellency's good Intentions to promote the Welfare and Prosperity of the Province, makes us most ardently wish you may speedily settle those Affairs which require your Personal Attendance in England, and that we may soon have the pleasure of seeing your Excellency again exercising the Powers of Government in Maryland.

The convening the Assembly before your Departure with a view of establishing such Regulations as may be conducive to the general Welfare, justly entitles your Excellency to our warmest Thanks.

25.th March 1774. which was Read and ordered to be Ingrossed.

The Ingrossed Address being prepared was Read and Assented to, and Signed by order of the House by the Honourable Benedict Calvert Esquire.

Ordered that Benedict Calvert Esq.^r attended by the whole House do present the said Address to his Excellency which was presented accordingly.

Adjourned until to Morrow Morning ten of the Clock

Saturday Morning 26.th March 1774.

Mar. 26

The House met again according to Adjournment

Present.

The Honble	{	Benedict Calvert Esq	William Hayward Esq. ^r
		Daniel Dulany Esq	Dan. ^l of S. ^t Tho. ^s Jenifer Esq
		John Ridout Esq	Benjamin Ogle Esq. ^r
		George Steuart Esq	Philip Thomas Lee Esq

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

p. 4

The House met again according to Adjournment

U. H. J.
Liber 37
Mar. 26

Present as in the Morning.

Mess.^{rs} Chase and Barnes bring up a Bill entitled “An Act for the Adjournment of the Provincial Court.”

Read the first and second Time in the Lower House and will Pass—which was Read the first and second Time by an especial Order in this House and will Pass—So endorsed and sent to the Lower House by Daniel Dulany Esq

His Excellency is pleased to communicate to this House the following Message in Answer to their Address.

Gentlemen of the Upper House of Assembly.

Your obliging Address with your kind Wishes for my speedy return to this Province from England is a very agreeable Proof of your Approbation of my past Conduct, your Assurance of which gives me the highest Pleasure. and I can only add that I am glad the Propriety of my convening the general Assembly at this Time appears to you in the Light I sincerely wished it should

26.th March 1774.

Rob.^t Eden.

Adjourned until Monday Morning ten of the Clock.

Mar. 28

Monday Morning 28.th March 1774.

The House met again according to Adjournment

Present

The Honble	{	Benedict Calvert Esq	William Hayward Esq
		Daniel Dulany Esq	Daniel of Saint Thomas
		John Ridout Esq	Jenifer Esq
		George Steuart Esq	Benjamin Ogle Esq
		William Fitzhugh Esq	Philip Thomas Lee Esq

Adjourned until Three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Mess.^{rs} Thomas and Weems bring up the Ingrossed Bill entitled “An Act for the Adjournment of the Provincial Court.” Read and Assented to by the Lower House of Assembly, which was Read and Assented to by this House and ordered to be so subscribed—the Paper Bill so Endorsed is sent to the Lower House by William Hayward Esquire.

Benjamin Ogle and Philip Thomas Lee Esq.^{rs} are sent to acquaint the Members of the Lower House that His Excellency requires their

Attendance in the Upper House immediately to see the Bill passed this Session receive the Assent.

U. H. J.
Liber 37
Mar. 28

The Lower House attend, and by their Speaker present to his Excellency the Bill entitled "An Act for the Adjournment of the Provincial Court," which his Excellency passed into a Law in the usual form, by Sealing it with the Right Honourable the Lord Proprietary his Great Seal at Arms, and Subscribing it, On behalf of the Right Honourable the Lord Proprietary of this Province, I will this be a Law.

p. 5

Adjourned until to Morrow Morning ten of the Clock

Tuesday Morning 29.th March 1774.

Mar. 29

The House met again according to Adjournment

Present as yesterday.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of Prince Georges County So endorsed and sent by John Ridout Esquire.

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Mess.^{rs} Aquila Hall and Holland bring up a Bill entitled "An Act to prevent Infection from the Ship Chance." Read the first and second Time by an especial Order in the Lower House and will Pass—which was Read the first and second Time by an especial Order in this House and will Pass—so Endorsed and sent to the Lower House by Benjamin Ogle Esq

Mess.^{rs} Ward and Hammond, bring up the Ingrossed Bill entitled "An Act to prevent Infection from the Ship Chance." Read and Assented to by the Lower House of Assembly—which was Read and Assented to by this House and ordered to be so Subscribed, the Paper Bill so Endorsed, was sent to the Lower House by William Hayward Esquire

John Ridout and Philip Thomas Lee Esq.^{rs} are sent to acquaint the Members of the Lower House that his Excellency requires their attendance in the Upper House of Assembly immediately, to see a Bill passed this Session receive the Assent.

The Lower House attend, and by their Speaker present to his Excellency the Bill entitled "An Act to prevent Infection from the Ship Chance." which his Excellency passed into a Law in the usual form by Sealing it with the Right Honourable the Lord Proprietary

U. H. J. his Great Seal at Arms, and Subscribing it On behalf of the
 Liber 37 Right Honourable the Lord Proprietary of this Province, I will
 Mar. 29 this be a Law.

p. 6 Adjourned until to Morrow Morning ten of the Clock

Mar. 30 Wednesday Morning 30.th of March 1774.

The House met again according to Adjournment
 Present as yesterday and George Plater Esq.^r
 Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment
 Present as in the Morning
 Adjourned until to Morrow Morning ten of the Clock

Mar. 31 Thursday Morning 31.st of March 1774.

The House met again according to Adjournment
 Present as yesterday.

Read and referred to the Consideration of the Lower House of Assembly the Petitions of Aquila Carr, John Curtiss, John Dunn, Joseph Ashmead, Benjamin Roberson, Robert Bowens, George Baxter, James Elkins, Elizabeth Carr, William Miller, Walter Fowler, William Lee, John Pearce, Matthew McCormuck, John Pearson, Peter Sigaser, Jacob Hart, Joseph Barron, Dorothy Rollings, John Erhman, Joseph Roddy, George Shake, Adam Rohrbough, Philip Miller, John Smithson, Francis Shields, John Tilbey, James Bowers, John Clerk, William Hopson Christian Napple James McBeth, Jacob Raybolt, John Fitzmaurice, John Chaffey, Matthew Mason, William Moore, John Dea, John George Williams Thomas Smyth Mark M^cLoughlin, John M^cCann, John Linney, Edward King John Spellman, Thomas Bready Patrick Higgins, Sarah Lobley, Elizabeth Doyl Catharine Porter, Margaret Kennedy, Mary Morris, Bartholomew Wickham and James McCormuck Prisoners in Baltimore County Goal, the Petitions of John Smith Francis Miller, Samuel Dobie, John Ringer, Michael Bruff, and John Brown, Prisoners in Frederick County Goal, the Petitions of Thomas Caney William Hardey, James Hardy, William Amer, William Sears, Mark Fowler, Samuel Hawkins Bayne, William Barker Matthew Pape Nicholas Nicholson and John Frazer, Prisoners in Prince Georges County Goal, the Petitions of Joseph Higgins, Nathan Linthicum, Richard Deane jun.^r and Francis Hepburn, Prisoners in Ann Arundel County Goal, the

Petitions of Leonard Field, Thomas Caywood, John Williams, Basil Patterson Sylvester Strange Moses White, Henry Fletcher and Matthew Boroughs, Prisoners in Saint Mary's County Goal; the Petitions of Thomas Glover, and Marshall Griffith, Prisoners in Calvert County Goal, the Petition of Thomas Barnes a Prisoner in Harford County Goal, the Petitions of Edward Davis, Isaac Green, and Charles Fullerton, Prisoners in Somerset County Goal; and the Petitions of James Barrance, William Grahame, John Thomas, and Unicy Williams, Prisoners in Dorchester County Goal—These Petitions were severally Endorsed, and sent to the Lower House by John Ridout Esq

U. H. J.
Liber 37
Mar. 31

p. 7

Read and referred to the Consideration of the Lower House of Assembly, the Petition of sundry Inhabitants living in and near the Town of Bladensburgh in Prince Georges County, the Petition of sundry Inhabitants of Somerset and Worcester Counties for a Sum of Money to defray the Expence of cutting a Canal near the Mouth of Pocomoke—the Petition of Jeremiah Crabb of Prince Georges County; and also the Petition of Benjamin Canada Stoddert. These Petitions were severally Endorsed and sent to the Lower House by John Ridout Esq

Read and referred to the Consideration of the Lower House of Assembly the following Application from Charles Wilson Peale Viz.^t

To his Excellency Robert Eden Esq.,^r Governor of the Province of Maryland and to the Honourable the Upper and Lower Houses of Assembly.

Charles Wilson Peale of the City of Annapolis Limner, impressed with a strong sense of Duty to his native Province projected when in London and since hath compleated the portrait of the Earl of Chatham on Canvass at full length, with a view humbly to offer the same to his Country, as a tribute of Gratitude, And presumes to entreat a favourable acceptance of that Portrait, to be placed in the State House or such other conspicuous place as shall be thought most fit and Convenient. Thus eminently to dispose of the first Fruit of his Science will much redound to his Reputation and confer an Honour which he shall forever acknowledge with Gratitude and Thanks—Sent to the Lower House by John Ridout Esq.^r

March 28.th 1774.

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning Ten of the Clock

U. H. J.
Liber 37
Apr. 1

Friday Morning 1.st April 1774.

The House met again according to Adjournment

Present as yesterday

Read and referred to the Consideration of the Lower House of Assembly the Petition of Benjamin Harris of Frederick County." So endorsed and sent by William Hayward Esq.^r

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

p. 8 The House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning ten of the Clock

Apr. 2

Saturday Morning 2.^d of April 1774.

The House met again according to Adjournment

Present as yesterday, except William Hayward Esq

Read and referred to the Consideration of the Lower House of Assembly the Petition of Leonard Holliday of Prince Georges County, the Petition of Joseph Ensor of Cecil County. as also the Petition of sundry Creditors of Francis Hepburn a Prisoner in Ann Arundel County Goal against his Releasement—those Petitions were severally Endorsed and sent to the Lower House by Philip Thomas Lee Esquire.

Read and rejected the Petition of Allatheard Ireland Administratrix of Joseph Ireland late of Kent County deceased.

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Mess.^{rs} Worthington Smallwood Beall Barnes and Veazey bring up a Bill entitled "An Act for the Regulation of Officers Fees" Read the first and second Time in the Lower House and will Pass which was Read the first Time in this House and ordered to lie on the Table.

Adjourned until Monday Morning ten of the Clock

Monday Morning 4.th April 1774.

Apr. 4

The House met again according to Adjournment

Present.

The Honble	{	Benedict Calvert Esq	Daniel of Saint Thomas
		Daniel Dulany Esq	Jenifer Esq
		John Ridout Esq	George Plater Esq
		George Steuart Esq	Benjamin Ogle Esq
		William Fitzhugh Esq	and Philip Thomas Lee Esq

U. H. J.
Liber 37
Apr. 4

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Mess.^{rs} Thomas and Wright bring up a Bill entitled "An Act for abolishing June County Courts." Read the first and second Time in the Lower House and will Pass which was Read the first Time in this House and ordered to lie on the Table.

Adjourned until to Morrow Morning ten of the Clock

p. 9

Tuesday Morning 5.th of April 1774

Apr. 5

The House met again according to Adjournment

Present as yesterday and John Beale Bordley Esq.^r

Mess.^{rs} Ridgely and Tolley, attend with M.^r Charles Ridgely son of John a Member elected for Baltimore County to see him Qualified who takes the several Oaths to the Government appointed to be taken by Act of Assembly repeats and subscribes the Oath of Abjuration and Test and then withdraws.

Read and rejected the Petition of sundry Inhabitants of Saint Marys County for establishing an Inspection House at Fenwickes Landing.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of King and Queen Parish in Saint Mary's County—the Petition of sundry Inhabitants of Potapsco Lower Hundred in Baltimore County for opening a Road; the Petition of sundry Inhabitants of Frederick County for repairing the Roads—the Petition of sundry Inhabitants of Saint Pauls Parish lying Partly in Queen Anns and partly in Talbot Counties, as also two Petitions from the Visitors of Eden School in Somerset County." These Petitions were severally Endorsed and sent to the Lower House by Benjamin Ogle Esq

Mess.^{rs} Chaille and Charles Ridgely son of John bring up the three following Bills, Read the first and second Time in the Lower House and will Pass Viz.^t

U. H. J. A Bill entitled “An Act concerning Provincial Grand Jurors.”
 Liber 37 A Bill entitled “An Act for repealing an Act against Ingrossers
 Apr. 5 and Regrators.” and

A Bill entitled “An Act for the relief of Benjamin Harris of Frederick County.” These Bills were severally Read the first Time in this House and Ordered to lie on the Table.

Adjourned until to Morrow Morning ten of the Clock

Apr. 6 Wednesday Morning 6.th April 1774.

The House met again according to Adjournment

Present as yesterday and William Hayward Esq

Read and referred to the Consideration of the Lower House of Assembly the Petitions of Jacob Houser Benjamin Nicholes David Allspaugh Joseph M.^c Farlin Benjamin Cherry and Elizabeth Horine, Prisoners in Frederick County Goal—These Petitions were severally Endorsed and sent by John Ridout Esquire.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Proprietors of Tobacco damaged p. 10 in Bladensburgh Warehouse by a Fresh in the year 1767. So endorsed and sent by Daniel Dulany Esq

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem.

The House met again according to Adjournment

Present as in the Morning

Read the second Time in this House and will Pass, the two following Bills Viz.¹

A Bill entitled “An Act for the relief of Benjamin Harris of Frederick County,” and a Bill entitled, “An Act for repealing an Act against Ingrossers and Regators.” These two Bills were severally endorsed and sent to the Lower House by William Hayward Esq.

Adjourned until to Morrow Morning ten of the Clock

Apr. 7 Thursday Morning 7.th of April 1774.

The House met again according to Adjournment

Present as yesterday.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of Kent County relative to the Variation of the Compass—So endorsed and sent by Phil. Tho.^s Lee Esq.

Read the second Time in this House the Bill entitled "An Act for the Regulation of Officers Fees." and will not Pass—so endorsed and sent to the Lower House by Daniel of S.^t Tho.^s Jenifer Esq.^o

U. H. J.
Liber 37
Apr. 7

Read the second Time in this House the Bill entitled. "An Act for abolishing June County Courts." and will Pass with the following Amendment Viz.^t Strike out the word "seven." in the two last Lines of the continuing Clause and instead thereof insert the word. "Three." so Endorsed and sent to the Lower House by Daniel of Saint Thomas Jenifer Esq.^o

Read and rejected the Petition of Martha Roundell of Prince Georges County.

Adjourned until three of the Clock in the Afternoon,

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Mess.^{rs} Deye and Ridgely, bring up the two following Ingrossed Bills Read and Assented to by the Lower House of Assembly Viz.^t

A Bill entitled "An Act for repealing an Act against Ingrossers and Regrators." and

A Bill, entitled, "An Act for the relief of Benjamin Harris of Frederick County." These two Bills were severally Read and Assented to by this House, and ordered to be so Subscribed—the Paper Bills so Endorsed were sent to the Lower House by George Steuart Esq.^o p. 11

Mess.^{rs} Charles Ridgely and Deye, bring up a Bill entitled. "An Act for the Relief of sundry Inhabitants of Potapscow Lower Hundred in Baltimore County." Read the first and second Time in the Lower House and will Pass.

Mess.^{rs} Tolley and Charles Ridgely son of John bring up an Ingrossed Bill entitled "An Act for the abolishing of June County Courts"—Read and Assented to by the Lower House of Assembly, which was Read and assented to by this House, and ordered to be so Subscribed, the Paper Bill so Endorsed was sent to the Lower House by George Steuart Esq.^o

Mess.^{rs} Tolley and Charles Ridgely son of John, bring up a Bill entitled "An Act to repeal part of an Act to encourage the destroying of Wolves Crows and Squirrels." Read the first and second time in the Lower House and will Pass.

Mess.^{rs} Johnson, Chase, Wright, Tyler, and Richardson, bring up the two following Bills—Read the first and second Time in the Lower House and will Pass Viz.^t

A Bill entitled "An Act for the more effectually Preventing the buying and Selling of Offices." and,

U. H. J. A Bill entitled “An Act relating to the Office of Chancellor
Liber 37
Apr. 7 Adjourned until to Morrow Morning ten of the Clock

Apr. 8 Friday Morning 8:th April 1774.
The House met again according to Adjournment

Present as yesterday

Read the first and second Time by an Especial Order in this House the Bill entitled “An Act for more effectually preventing the buying and selling of Offices.” as also the Bill entitled. “An Act relating to the Office of Chancellor,” and will not pass.

Read and rejected the Petition of Stephen West of Prince Georges County.

Read the first and second Time by an especial Order in this House the Bill entitled “An Act to repeal part of an Act to encourage the destroying of Wolves Crows and Squirrels.” and will Pass—so endorsed and sent to the Lower House by William Hayward Esq.

Read the first Time in this House the Bill entitled “An Act for the relief of sundry Inhabitants of Patapsco Lower Hundred in Baltimore County.” and ordered to lie on the Table.

Resolved, that this House will take the said Bill into Consideration on Wednesday next at ten of the Clock in the Morning. and Ordered that the Clerk of this House give Notice to M^r Charles Rogers of Baltimore County of the above Resolve, and that he may
p. 12 then be heard if he thinks proper on Application for that Purpose

Mess.^{rs} Beall and T. Wright bring up an Ingrossed Bill entitled “An Act to repeal part of an Act to encourage the destroying of Wolves Crows and Squirrels.” Read and Assented to by the Lower House of Assembly, which was Read and Assented to by this House and ordered to be so Subscribed, the Paper Bill so Endorsed was sent to the Lower House by John Ridout Esq

Mess.^{rs} Beall and T Wright bring up a Bill entitled “An Act for the Relief of Insolvent Debtors.” Read the first and second Time in the Lower House and will Pass—which was Read the first Time in this House and Ordered to lie on the Table.

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Adjourned until to Morrow Morning ten of the Clock

Saturday Morning 9.th April 1774.

U. H. J.
Liber 37
Apr. 9

The House met again according to Adjournment

Present as yesterday

On Motion of John Beale Bordley Esq.^r Leave is given to bring in a Bill entitled "An Act for King Williams School in Annapolis," which being brought in immediately, was Read the first and second Time by an especial Order in this House, and will Pass—so Endorsed and sent to the Lower House by William Fitzhugh Esq

Adjourned until Monday Morning ten of the Clock

Monday Morning 11.th of April 1774.

Apr. 11

The House met again according to Adjournment

Present

The Honble	{	Daniel Dulany Esq	Daniel of S. ^t Tho. ^s Jenifer Esq
		John Ridout Esq	George Plater Esq
		John Beale Bordley Esq	Benjamin Ogle Esq
		George Steuart Esq	and
		William Hayward Esq	Philip Thomas Lee Esq

Mess.^{rs} John Ennalls and Thomas attend with M.^r Henry Steele a Member elected for Dorchester County to see him Qualified, who takes the several Oaths to the Government appointed to be taken by Act of Assembly, repeats and subscribes the Oath of Abjuration and Test, and then withdraws.

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem.

The House met again according to Adjournment

p. 13

Present as in the Morning

Mess.^{rs} Paca and Hammond bring up a Bill entitled An Act for building a new Church in the City of Annapolis in Saint Anns Parish." Read the first and second Time in the Lower House and will Pass, which was Read the first and second Time by an especial Order in this House, and will Pass—so Endorsed and sent to the Lower House by Benjamin Ogle Esquire.

Mess.^{rs} Paca and Hammond bring up a Bill entitled "An Act for the building a Parish Church in All Saints Parish in Calvert County." Read the first and second Time in the Lower House and will Pass, which was Read the first Time in this House and ordered to lie on the Table.

Mess.^{rs} Key and Bond, bring up a Bill entitled "An Act for the Support of an Organist in King and Queen Parish in Saint Mary's

U. H. J. County.” Read the first and second Time in the Lower House and
 Liber 37 will Pass—which was Read the first and second Time by an especial
 Apr. 11 Order in this House, and will Pass—so Endorsed and sent to the
 Lower House by Benjamin Ogle Esq.

Adjourned until to Morrow Morning ten of the Clock

Apr. 12

Tuesday Morning 12.th April 1774.

The House met again according to Adjournment

Present as yesterday

Mess.^{rs} Charles Ridgely and Deye, attend with Mess.^{rs} Thomas Bond (son of Thomas) John Love, and Richard Dallam Members elected for Harford County, to see them Qualified, who take the several Oaths to Government appointed to be taken by Act of Assembly, repeat and subscribe the Oath of Abjuration and Test, and then withdraw.

Mess.^{rs} Waters and Purnell bring up a Bill entitled “An Act empowering Leonard Holliday to Sell the Land therein mentioned.” Read the first and second Time in the Lower House and will Pass—which was Read the first Time in this House and ordered to lie on the Table.

Mess.^{rs} Waters and Purnell also bring up a Bill entitled “An Act to empower the Justices of Somerset County to Levy on the Taxable Inhabitants of that part of Stepney Parish which lies in the said
 p. 14 County a Quantity of Tobacco for the Purposes therein mentioned,” and a Bill entitled “An Act to assess and levy on the Taxable Inhabitants of All Hallows Parish in Worcester County a Quantity not exceeding Forty five Thousand Pounds of Tobacco for the Purpose of erecting a Chapel of Ease in the said Parish.” Read the first and second Time in the Lower House and will Pass—which were Read the first and second Time by an especial Order in this House and will Pass—so Endorsed and sent to the Lower House by William Hayward Esquire

Read the second Time in this House the Bill entitled “An Act for building of a Parish Church in All Saints Parish in Calvert County.” and will Pass—so Endorsed and sent to the Lower House by William Hayward Esq.

Read and referred to the Consideration of the Lower House of Assembly the Petition of sundry Inhabitants of Harford County for affixing the Court House and Prison near the Centre of the said County—so endorsed and sent to the Lower House by John Beale Bordley Esq

Read and referred to the Consideration of the Lower House of

Assembly the Petition of Lazarus Pumphry of Ann Arundel County U. H. J.
So endorsed and sent to the Lower House by William Hayward Esq^r Liber 37
Adjourned until three of the Clock in the Afternoon Apr. 12

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

Mess.^{rs} John Hall and Earle bring up a Bill entitled "An Act for the speedy Recovery of small Debts out of Court," Read the first and second Time in the Lower House and will Pass. which was Read the first Time in this House and ordered to lie on the Table.

Adjourned until to Morrow Morning ten of the Clock.

Wednesday Morning 13:th April 1774.

Apr. 13

The House met again according to Adjournment

Present as yesterday and Richard Lee Esq^r

Read and referred to the Consideration of the Lower House of Assembly the Petition of Joseph Hayward of Baltimore County against the Releasement of Matthew Mason, also the Petition of William Beck a Prisoner in Prince Georges County Goal, which said Petitions were severally Endorsed and sent to the Lower House by Philip Tho.^s Lee Esq^r— p. 15

Read and referred to the Consideration of the Lower House of Assembly the Petition of John Done Sheriff of Worcester County—the Petition of sundry Inhabitants of Somerset and Worcester Counties for laying out a Town, as also the Petition of Samuel Litten of Harford County, these Petitions were severally Endorsed and sent to the Lower House by Philip Tho.^s Lee Esq^r

Read the second Time in this House the Bill entitled "An Act for the speedy Recovery of small Debts out of Court." also the Bill entitled "An Act concerning Provincial Grand Jurors." and will not Pass.

Mess.^{rs} Robins and Somerville bring up the three following In-grossed Bills, Read and Assented to by the Lower House of Assembly Viz.^t

A Bill entitled "An Act for the support of an Organist in King and Queen Parish in Saint Mary's County."

A Bill entitled "An Act to empower the Justices of Somerset County to levy on the Taxable Inhabitants of that part of Stepney Parish which lies in the said County a Quantity of Tobacco for the Purposes therein mentioned." and a Bill entitled. "An Act for the building of a Parish Church in All Saints Parish in Calvert County."

U. H. J. These Bills were severally Read and Assented to by this House and
 Liber 37 ordered to be so Subscribed the Paper Bills so Endorsed were sent
 Apr. 13 to the Lower House by William Hayward Esq

Mess.^{rs} Robins and Somerville bring up the two following Bills—
 Read the first and second Time in the Lower House and will Pass
 Viz.^t

A Bill entitled “A supplement to the Act to unite the Free Schools
 of Somerset and Worcester Counties.” and a Bill entitled “An Act
 empowering the Justices of Calvert County to levy on the Taxable
 Persons of Christ Church Parish in the said County the Quantity
 of Tobacco therein mentioned for the Purpose of finishing and
 Compleating their Parish Church.”

The House agreeable to the order of the Day proceeded to take
 into Consideration the Bill entitled “An Act for the relief of sundry
 Inhabitants of Potapasco Lower Hundred in Baltimore County”—
 which said Bill was Read the second Time in this House and will
 not Pass

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

p. 16 Adjourned until to Morrow Morning ten of the Clock

Apr. 14 Thursday Morning 14.th April 1774.

The House met again according to Adjournment

Present as yesterday

Read and referred to the Consideration of the Lower House of
 Assembly, the Petition of sundry Inhabitants of Baltimore County
 to prevent Inoculation in the Town of Baltimore; also the Petition
 of sundry Inhabitants of Harford County for altering the Post
 Road through the said County

These Petitions were severally endorsed and sent to the Lower
 House by John Ridout Esquire.

Read the first and second Time by an especial Order the Bill
 entitled “A Supplement to the Act to unite the Free Schools of
 Somerset and Worcester Counties”—and will Pass—so Endorsed
 and sent to the Lower House by William Hayward Esq

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

U. H. J.
Liber 37
Apr. 14

Read the second Time in this House the Bill entitled "An Act for the Relief of Insolvent Debtors," and will Pass with the following Amendments Viz.^t after the words "Court House Door." in the third line of the fourth sheet "add "and other Publick places." In the tenth line of the fourth Page strike out from the word "Judgments." to the beginning of the fourteenth line of the same Page and insert the following words Viz.^t "if any or any claiming or who shall or may claim under them who have or shall have any Lien by assignment of such Judgment or otherwise shall Pay in or towards satisfaction of the said Creditors according to the order and Priority of their Judgments or other Lien thereon." After the word aforesaid in the eighteenth line of the same Page insert the following Proviso Viz.^t "Provided that no Judgment hereafter to be rendered against any Person applying to be discharged as aforesaid nor any Process thereon shall create any Lien on the Lands Goods or Chattels of such Persons whereby the Creditor obtaining such Judgment shall or may have any Priority in the Distribution of the Money arising from the Sale of such Lands Goods or Chattels to be distributed as aforesaid"—In the sixteenth p. 17 line of the same Sheet after the word "Demands." add, "early Notice of such Design being previously given by Advertisements set up at the most Public Places of the County where such Debtor resides and likewise in the Maryland Gazette"—After the word "Affirmation." in the second line of the seventh Page add. "and Transmission." In the thirteenth line of the same Page after the word "Discent" add. "Gift Devise Bequest," after the word "discharge" in the twenty fourth line of the eighth Sheet, add the words "and the same Allegation being determined and adjudged against the said Obligor." Strike out the whole of the ninth Sheet after the word "farthest." in the first Line and insert the words "And the Justices of the County Court aforesaid shall and may hear and determine in a Summary way such Allegation of the Creditor or Creditors aforesaid And if the same shall be determined by the said Court against such Prisoner then the same Prisoner shall have no aid or benefit of this Act and Judgment shall Pass against him or her for Costs, But if the determination of the Justices of the County Court on such Allegation shall be against such Creditor or Creditors then the Prisoner or Prisoners aforesaid shall by the said Court be immediately discharged on his or her making subscribing and delivering in open Court such Schedule and Duplicate as aforesaid and there taking such Oath or Affirmation as aforesaid, and all his or her Estate shall thereupon be invested in the Sheriff sold and disposed of and applied as if he or she had been discharged by the said three Justices or any two of them. And it shall and may be Lawful for the said Justices of the County Court

U. H. J. to ascertain and determine the Quantum of the Damage if any that
 Liber 37 the Prisoner hath sustained by reason of the false Allegation of
 Apr. 14 such Creditor or Creditors and thereupon adjudge the same with
 Costs to the Prisoner, Provided such Damages and Costs shall
 not exceed the Penalty of the said Bond.” Strike out the last
 enacting Clause of the Tenth Sheet, and the three first Lines in
 the Eleventh Sheet. So endorsed and sent to the Lower House by
 John Beale Bordley Esq

Read the second Time in this House the Bill entitled “An Act
 empowering Leonard Holliday to Sell the Land therein mentioned.”
 and will not Pass. so Endorsed and sent to the Lower House by
 Benjamin Ogle Esq

Read the first and second Time by an especial Order in this
 House the Bill entitled. “An Act empowering the Justices of
 p. 18 Calvert County to levy on the Taxable Inhabitants of Christs
 Church Parish in the said County the Quantity of Tobacco therein
 mentioned for the Purpose of finishing and compleating their Parish
 Church;” and will not Pass—so endorsed and sent to the Lower
 House by Benjamin Ogle Esquire.

Adjourned until to Morrow Morning ten of the Clock

Apr. 15

Friday Morning 15:th April 1774.

The House met again according to Adjournment

Present as yesterday

Mess.^{rs} Chamberlaine and Bond bring up the two following Bills
 Read the first and second Time in the Lower House and will Pass
 Viz:†

A Bill entitled “An Act for suspending the Powers of the Com-
 missioners for building a Court House and Prison in Harford
 County”—and a Bill entitled “An Act for the Relief of the Poor
 in Talbot County”—These two Bills were Read the first and second
 Time by an especial Order in this House and will Pass—so Endorsed
 and sent to the Lower House by George Steuart Esquire.

Mess.^{rs} Chamberlaine and Bond, bring up the three following
 Ingrossed Bills Read and Assented to by the Lower House of
 Assembly Viz:†

A Bill entitled “An Act to assess and levy on the Taxable In-
 habitants of All Hallows Parish in Worcester County a Quantity
 not exceeding Forty five Thousand Pounds of Tobacco for the
 Purpose of erecting a Chapel of Ease in the said Parish.”

A Bill entitled “An Act for the building a new Church in the
 City of Annapolis in Saint Anns Parish.” and a Bill entitled “A
 Supplement to the Act to unite the Free Schools of Somerset and
 Worcester Counties.”

U. H. J.
Liber 37
Apr. 15

On Motion of Daniel Dulany Esq Leave is given to bring in a Bill entitled "An Act concerning Prisoners in certain Cases." which being brought in immediately was Read the first and second Time by an especial Order in this House and will Pass. so Endorsed and sent to the Lower House by John Ridout Esquire.

Mess.^{rs} Sim and Hawkins bring up the Bill entitled an Act for King Williams School in Annapolis"—Read the first and second Time in the Lower House and will Pass—which was Read in this House and passed for Ingrossing.

Mess.^{rs} Sim and Hawkins bring up a Bill entitled. "An Act confirming the Title of Lazarus Pumphry to the Land therein mentioned." also the Bill entitled "An Act to unite the Free Schools of Saint Mary's, Charles, and Prince Georges Counties." Read the first and second Time in the Lower House and will Pass. which said Bills were Read the first and second Time by an especial Order in this House and will Pass. So endorsed and sent to the Lower House by George Steuart Esq. p. 19

Read and referred to the Consideration of the Lower House of Assembly the Petition of John Birkett a Prisoner in Cecil County Goal. also the Petition of the Justices of Kent County for building a new Prison in said County. These Petitions were severally Endorsed and sent to the Lower House by John Ridout Esq.

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning

The Ingrossed Bill entitled "An Act for King Williams School in Annapolis." was Read and Assented to, and Ordered to be so Subscribed, sent together with the Paper Bill thereof to the Lower House by Philip Thomas Lee Esquire.

Read and Assented to by this House, and ordered to be so Subscribed the three following Ingrossed Bills Viz.^t

A Bill entitled "An Act to assess and levy on the Taxable Inhabitants of All Hallows Parish in Worcester County a Quantity not exceeding Forty five Thousand Pounds of Tobacco for the Purpose of erecting a Chapel of Ease in the said Parish."

A Bill entitled "An Act for building a new Church in the City of Annapolis in Saint Annes Parish." and,

A Bill entitled "a Supplement to the Act to unite the Free Schools of Somerset and Worcester Counties." The Paper Bills were severally Endorsed and sent to the Lower House by Philip Thomas Lee Esq

U. H. J. Mess.^{rs} Solomon Wright and Robins bring up the three follow-
 Liber 37 ing Bills Read the first and second Time in the Lower House and
 Apr. 15 will Pass Viz.^t

A Bill entitled “An Act to empower the Justices of Somerset and Worcester Counties to levy on the Taxable Inhabitants of Coventry Parish in said Counties the Quantity of Thirty two Thousand Pounds of Tobacco for the uses therein mentioned.

p. 20 A Bill entitled a Supplementary Act to the Act entitled “An Act to prevent the injuring Harbours within this Province and for repealing the Act therein mentioned.” and a Bill entitled “An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned.”

Mess.^{rs} Paca and Hammond, bring up a Bill entitled “An Act for the enlargement of the Powers of the Corporation and Jurisdiction of the Mayors Court of the City of Annapolis.” Read the first and second Time in the Lower House and will Pass, which was Read the first Time in this House and ordered to lie on the Table.

Mess.^{rs} Purnell and [Love] bring up a Bill entitled “An Act empowering John Done Sheriff of Worcester County to execute for the Publick Levy Deputy Commissary’s and Attornies Fees”—Read the first and second Time in the Lower House and will Pass.

Adjourned until to Morrow Morning ten of the Clock

Apr. 16

Saturday Morning 16:th April 1774.

The House met again according to Adjournment

Present as yesterday.

Mess.^{rs} Tyler and Hammond bring up a Bill entitled “An Act to preserve the Independance of the Members of the Lower House of Assembly of this Province”—Read the first and second Time in the Lower House and will Pass.

Mess.^{rs} Tyler and Hammond bring up the Paper Bill entitled “An Act for King Williams School in Annapolis;” thus endorsed, Viz.^t “By the Lower House of Assembly April 16:th 1774. The Ingrossed Bill whereof this is the original is Read and Assented to;”

Signed by Order, Jn^o Duckett Clk. Lo. Ho.

Mess.^{rs} Tyler and Hammond also bring up the three following Ingrossed Bills Read and Assented to by the Lower House of Assembly Viz.^t

A Bill entitled “An Act for suspending the Power of the Commissioners for building a Court House and Prison in Harford County”—

A Bill entitled “An Act to unite the Free Schools of Saint Mary’s, Charles, and Prince George’s Counties.” and

A Bill entitled "An Act for the Relief of the Poor in Talbot County." These Bills were severally Read and Assented to by this House and Ordered to be so Subscribed, the Paper Bills so Endorsed, were sent to the Lower House by George Steuart Esquire

U. H. J.
Liber 37
Apr. 16

Mess.^{rs} Sim and Chamberlaine bring up the Journal of Accounts Read and Assented to by the Lower House of Assembly.

Read the first and second Time by an especial Order in this House the three following Bills and will Pass Viz.¹

p. 21

A Bill entitled "An Act empowering John Done Sheriff of Worcester County to Execute for the Public Levy Deputy Commissary's and Attornies Fees."

A Bill entitled "A supplementary Act to the Act entitled "An Act to Prevent the injuring Harbours within this Province and for repealing the Act therein mentioned" and a Bill entitled "An Act to empower the Justices of Somerset and Worcester Counties to levy on the Taxable Inhabitants of Coventry Parish in said Counties the Quantity of Thirty two Thousand Pounds of Tobacco for the uses therein mentioned." These Bills were severally Endorsed and sent to the Lower House by Daniel of Saint Thomas Jenifer Esq

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment.

Present as in the Morning.

Mess.^{rs} Johnson and Chase bring up the two following Ingrossed Bills Read and Assented to by the Lower House of Assembly Viz.¹

A Bill entitled "An Act confirming the Title of Lazarus Pumphry to the Land therein mentioned," and, A Bill entitled "A Supplementary Act to the Act entitled An Act to prevent the injuring Harbours within this Province and for repealing the Act therein mentioned

These Bills were severally Read and Assented to by this House, and Ordered to be so Subscribed, the Paper Bills so Indorsed, were sent to the Lower House by Daniel of Saint Thomas Jenifer Esq

Mess.^{rs} Johnson and Chase bring up a Bill entitled "An Act relating to the Publick Roads in Ann Arundel, Baltimore, and Frederick Counties." Read the first and second Time in the Lower House and will Pass, which was Read the first and second Time by an especial Order in this House and will Pass, So endorsed and sent to the Lower House by Philip Thomas Lee Esquire.

Read the first and second Time by an especial Order in this House the Bill entitled "An Act to Preserve the Independance of the Members of the Lower House of Assembly of this Province," and will Pass with the following Amendments Viz.¹ The word "or." after

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the word "Representative" in the second Page to be struck out, and the word "and," to be inserted, and at the end of the Bill add as follows Viz.^t "And be it enacted by the Authority aforesaid, that every Person who shall hereafter be elected or chosen to serve in the general Assembly of this Province as a Delegate or Deputy shall at the Time of his taking the Oaths to the Government and repeating and Subscribing the Test take also the following Oath to wit "I AB. do solemnly Swear that I have made use of no means directly or indirectly to deceive any Elector in order or with the intent or design to obtain or procure his Vote either for myself or any other Person and that whilst I shall serve as a Delegate or Deputy in the general Assembly of this Province I will truly and faithfully upon all Occasions consent and agree to the Passing ordaining and enacting of all such Resolves Regulations and Laws as I shall believe in my conscience to be just and conducive to the peace real Welfare and Prosperity of this Province without any other Regard or view whatsoever, and that I will oppose and Dissent from all Resolves Regulations and Laws which shall be proposed by any Person and which I shall in my Conscience believe to be unjust or not conducive to the Peace real Welfare and Prosperity of this Province and that I will not in any manner directly or indirectly misrepresent my own Conduct or views as a Delegate or Deputy or the Conduct or views of any other Delegate or Deputy in the general Assembly in order to gain the Vote of any Elector for myself or any other Person or to persuade or incline any Elector not to give his Vote for any Person who shall or may be a Candidate at any Election. And be it enacted that no Person who hath held or enjoyed any Office of Profit in this Province or who hath by himself or any other Person with his Privity and Consent applied for his appointment to any such Office tho' the said application failed of effect shall hereafter for the Term of seven years be capable to be or eligible as a Delegate or Deputy to serve in the general Assembly of this Province and in Case any Person who hath held or enjoyed any such Office or hath applied for the same as aforesaid shall be elected and returned as a Delegate or deputy to serve in the general Assembly aforesaid and shall not give Notice of his said incapacity to the House of Representatives after his Election and before his taking the Oaths to the Government and repeating and subscribing the Test and taking the Oath aforesaid such Person shall forfeit and Pay the Sum of one Thousand Pounds Sterling to be recovered and applied as aforesaid and be incapacitated and rendered incapable thereafter of serving his Country in the Capacity of a Representative and also of holding or enjoying any Post of Honour Profit or Trust within this Province any Law usage or Custom to the Contrary notwithstanding.

Apr. 23

And be it enacted that after the End of this present Session of

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Assembly no Councillor Delegate or Burgess of Assembly shall have or receive any Allowance for attendance in Assembly or for itinerant Charges any thing in any former Act of Assembly to the contrary notwithstanding"—"This Act to continue for and during the Term of Fourteen years and until the end of the next Session of Assembly which shall happen thereafter"—So Indorsed and sent to the Lower House by William Hayward Esquire.

Read and referred to the Consideration of the Lower House of Assembly, the Petition of Cap.^t Robert Campbell Commander of the Ship Chance. So endorsed and sent by William Hayward Esq

Read the first and second Time by an especial Order in this House the Bill entitled "An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned." and will Pass with the following Amendment Viz.^t Strike out the name of "Charles Homewood" So endorsed and sent to the Lower House by Daniel of S^t Tho.^s Jenifer Esq.

Adjourned until Monday Morning ten of the Clock

Monday Morning 18:th April 1774.

Apr. 18

The House met again according to Adjournment

Present

The Honble	{	Richard Lee Esq	Dan. ^l of S. ^t Thomas Jenifer Esq
		Daniel Dulany Esq	George Plater Esq
		John Ridout Esq	and
		John Beale Bordley Esq	Philip Thomas Lee Esq
		George Steuart Esq	

Mess.^{rs} Steele and Dallam bring up a Bill entitled "An Act concerning Prisoners in certain Cases." Read the first and second Time in the Lower House and will not Pass.

Mess.^{rs} Steele and Dallam also bring up a Bill entitled "An Act relating to Criminals"—Read the first and second Time in the Lower House and will Pass.

Read and Referred to the Consideration of the Lower House of Assembly, the Petition of Henry Gassaway of Ann Arundel County. so endorsed and sent to the Lower House by Benjamin Ogle Esq

Mess.^{rs} Earle and Bond (of Harford County) bring up a Bill entitled "And Act to regulate the Payment of Attornies Fees." Read the first and second Time in the Lower House and will Pass. which was Read the first and second Time by an especial Order in this House and will not Pass. p. 24

Adjourned until three of the Clock in the Afternoon

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Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning, and Benedict Calvert Esq

The Journal of Accounts is Read and Assented to by this House and ordered to be so Subscribed, and sent to the Lower House by John Ridout Esq

Mess.^{rs} Robins and Purnell bring up the four following Ingrossed Bills, Read and Assented to by the Lower House of Assembly Viz.^t

A Bill entitled “An Act to empower the Justices of Somerset and Worcester Counties to levy on the Taxable Inhabitants of Coventry Parish in said Counties the Quantity of Thirty two Thousand Pounds of Tobacco for the uses therein mentioned.”

A Bill entitled “An Act empowering John Done Sheriff of Worcester County to Execute for the Publick Levy Deputy Commissaries and Attornies Fees.”

A Bill entitled “An Act relating to the Publick Roads in Ann Arundel, Baltimore, and Frederick Counties” and,

A Bill entitled “An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned.”

These Bills were severally Read and Assented to by this House and ordered to be so Subscribed, the Paper Bills so Endorsed were sent to the Lower House by George Steuart Esquire

Mess.^{rs} Robins and Purnell bring up a Bill entitled “An Act requiring the Justices of Somerset County to appoint Persons to lay out a Road in said County.” Read the first and second Time in the Lower House and will Pass which was Read the first and second Time by an especial Order in this House, and will Pass. so Endorsed and sent to the Lower House by Daniel of Saint Thomas Jenifer Esq

Mess.^{rs} T. Wright and [Aquila Hall] bring up a Bill entitled “An Act for Payment of the Public Creditors.” Read the first and second Time in the Lower House and will Pass.

p. 25 Mess.^{rs} Tolley and Ridgely bring up a Bill entitled “An Act for regulating the Gauging of Casks in the Town of Baltimore”—Read the first and second Time in the Lower House and will Pass.

Adjourned until to Morrow Morning ten of the Clock

Apr. 19

Tuesday Morning 19.th April 1774.

The House met again according to Adjournment

Present as yesterday.

Read and referred to the Consideration of the Lower House of Assembly the Petition of Cap.^t Robert Campbell Commander of the Ship Chance”—So endorsed and sent to the Lower House by John Ridout Esq

Read the first and second Time by an especial Order in this House the Bill entitled "An Act for regulating the Gauging of Casks in the Town of Baltimore." as also the Bill entitled "An Act for the Payment of the Public Creditors." and will Pass—these two Bills were severally Endorsed and sent to the Lower House by Benedict Calvert Esq

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Read the first and second Time by an especial Order in this House the Bill entitled "An Act relating to Criminals." and will not Pass so endorsed and sent to the Lower House by Dan.¹ of Saint Tho.^s Jenifer Esq together with the six following Bills that have been Read the first and second Time in this House and will not Pass.

A Bill entitled "An Act for the Enlargement of the Powers of the Corporation and Jurisdiction of the Mayors Court of the City of Annapolis."

A Bill entitled "An Act to regulate the Payment of Attornies Fees."

A Bill entitled "An Act concerning Provincial Grand Jurors."

A Bill entitled "An Act relating to the Office of Chancellor."

A Bill entitled "An Act for more effectually Preventing the Buying and Selling of Offices" and,

A Bill entitled "An Act for the speedy Recovery of small Debts out of Court."

Mess.^{rs} Key and Beatty bring up a Bill entitled "An Act to prevent the erecting of Booths and Sale of Liquors on Holy-Days." Read the first and second Time by an especial Order in the Lower House and will Pass. which was Read the first and second Time by an especial Order in this House and will Pass—so Endorsed and Sent to the Lower House by Philip Thomas Lee Esq.

Mess.^{rs} Hyland and Maxwell bring up a Bill entitled "An Act for the Relief of Henry Gassaway." Read the first and second Time by an especial Order in the Lower House and will Pass. which was Read the first and second Time by an especial Order in this House and will Pass. So endorsed and sent to the Lower House by George Steuart Esquire.

p. 26

Adjourned until three of the Clock in the Afternoon

Eodem Die Post Meridiem

The House met again according to Adjournment

Present as in the Morning.

Benedict Calvert Esquire from the Committee appointed to inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit brings in the following Report Viz.^t
Maryland ss:^t

U. H. J. At a Committee of both Houses of Assembly appointed to inspect
 Liber 37 the Office and Proceedings of the Commissioners for Emitting Bills
 Apr. 19 of Credit established by Act of Assembly.

Were Present

The Honble	{	Benedict Calvert Esquire	}	of the Upper House
		and Daniel of Saint Thomas Jenifer Esq		
	{	M. ^r Thomas Bond	}	of the Lower House.
		M. ^r Richard Parran		
		M. ^r Josias Hawkins		
		M. ^r Joseph Gilpin		
		M. ^r Thomas Contee		

Who make Choice of and appoint the Honourable Benedict Calvert Esq Chairman, and John Courts Jones their Clerk, and agree to make the following Report Viz.^t

Your Committee make Report to your Honours that they have since their Meeting Counted and Burnt torn and defaced Bills to the Amount of two Thousand seven Hundred and twenty five Dollars and nine eightieths of a Dollars, and that by Reason of a multiplicity of Business now transacting in said Office and the want of Time your Committee have not been able this Session to Examine the Accounts of said Office from the Time of the last Report delivered into the Honourable House.

Bened.^t Calvert
 Dan.¹ of S.^t Tho.^s Jenifer
 Joseph Gilpin
 Richard Parran

Mess.^{rs} Veazey and Ridgely bring up the six following Ingrossed Bills Read and Assented to by the Lower House of Assembly Viz.^t

A Bill entitled "An Act for Payment of the Public Creditors."

p. 27 A Bill entitled "An Act for regulating the Gauging of Casks in the Town of Baltimore."

A Bill entitled "An Act requiring the Justices of Somerset County to appoint Persons to lay out a Road in said County."

A Bill entitled "An Act for the Relief of Henry Gassaway."

A Bill entitled "An Act to prevent the erecting of Booths and Sale of Liquors on Holy-Days." And

A Bill entitled "An Act for the Relief of Insolvent Debtors."

These Bills were severally Read and Assented to by this House and Ordered to be so Subscribed. the Paper Bills so Endorsed, are sent to the Lower House by John Ridout Esquire

Ordered that the Clerk of this House receive the same Fees on all

Private Bills passed this Session as shall be paid to the Clerk of the Lower House.

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Benjamin Ogle and Philip Thomas Lee Esquires are sent to acquaint the Members of the Lower House that his Excellency requires their Attendance in the Upper House immediately to see the Bills passed this Session receive the Assent.

The Lower House attend, and by their Speaker present to his Excellency the following Bills Viz.¹

A Bill entitled "An Act to repeal an Act against Ingrossers and Regrators."

A Bill entitled "An Act for the Relief of Benjamin Harris of Frederick County."

A Bill entitled "An Act for abolishing June County Courts."

A Bill entitled "An Act to repeal part of an Act to encourage the destroying of Wolves Crows and Squirrells."

A Bill entitled "An Act for the support of an Organist in King and Queen Parish in Saint Mary's County."

A Bill entitled "An Act to empower the Justices of Somerset County to Levy on the Taxable Inhabitants of that part of Stepney Parish which lies in the said County a Quantity of Tobacco for the Purposes therein mentioned."

A Bill entitled "An Act for the building of a Parish Church in All Saints Parish in Calvert County."

A Bill entitled "An Act to assess and levy on the Taxable Inhabitants of All Hallows Parish in Worcester County a Quantity not exceeding Forty five Thousand Pounds of Tobacco for the Purpose of erecting a Chapel of Ease in the said Parish." p. 28

A Bill entitled "An Act for the building a new Church in the City of Annapolis in Saint Annes Parish."

A Bill entitled "A Supplement to the Act to unite the Free Schools of Somerset and Worcester Counties."

A Bill entitled "An Act for suspending the Power of the Commissioners for building a Court House and Prison in Harford County."

A Bill entitled "An Act to unite the Free Schools of Saint Mary's Charles and Prince Georges Counties."

A Bill entitled "An Act for King Williams School in Annapolis."

A Bill entitled "An Act for the Relief of the Poor in Talbot County."

A Bill entitled "An Act confirming the Title of Lazarus Pumphry to the Land therein mentioned."

A Bill entitled "a Supplementary Act to the Act entitled "An Act to prevent the injuring Harbours within this Province and for repealing the Act therein mentioned"—

U. H. J. A Bill entitled "An Act to empower the Justices of Somerset and
 Liber 37 Worcester Counties to levy on the Taxable Inhabitants of Coventry
 Apr. 19 Parish in said Counties the Quantity of Thirty two Thousand
 Pounds of Tobacco for the uses therein mentioned"—

A Bill entitled "An Act empowering John Done Sheriff of Worcester County to execute for the Public Levy, Deputy Commissaries and Attornies Fees."

A Bill entitled "An Act relating to the Public Roads in Ann Arundel Baltimore and Frederick Counties."

A Bill entitled "An Act for the relief of certain languishing Prisoners in the several Jails therein mentioned"

A Bill entitled "An Act for regulating the Gauging of Casks in the Town of Baltimore."

A Bill entitled "An Act for Payment of the Public Creditors"

A Bill entitled "An Act requiring the Justices of Somerset County to appoint Persons to lay out a Road in said County."

A Bill entitled "An Act for the relief of Henry Gassaway."

A Bill entitled "An Act to Prevent the erecting of Booths and Sale of Liquors on Hollidays." and,

A Bill entitled "An Act for the Relief of Insolvent Debtors."

p. 29 All which his Excellency passed into Laws in the usual form by Sealing them with the Right Honourable the Lord Proprietary his Great Seal at Arms, and Subscribing them, on behalf of the Right Honourable the Lord Proprietary of this Province I Will this be a Law.

After^e which His Excellency was pleased to conclude this Session with the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly.

I have thought fit with the advice of the Lord Proprietary's Council of State to Prorogue this Assembly to Monday the eleventh day of July next, you will therefore be pleased to take Notice that you are Prorogued to that day accordingly.

Thus ends this Session of Assembly, begun, and held at the City of Annapolis, on Wednesday the Twenty third day of March, ending the nineteenth day of April following, in the third year of the Dominion of the Right Honourable Henry Harford Esq^r Anno Domini 1774.

James Brooks Cl: Up: Ho:

PROCEEDINGS OF THE LOWER HOUSE OF ASSEMBLY

At a Session of Assembly, begun and held at the City of Annapolis on Wednesday the twenty-third Day of March in the Year of our Lord One Thousand seven hundred and seventy-four and in the third Year of the Dominion of the Right Honourable Henry Harford, Esq; Absolute Lord and Proprietary of the Province of Maryland (his Excellency Robert Eden, Esq; being Governor) the following Delegates appeared in the Lower House of Assembly, Viz.

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The Honourable Mathew Tilghman Esq; Speaker.

For St. Mary's County

M.^r Thomas Bond,
M.^r Philip Key.

For Baltimore County

M.^r Charles Ridgely,
M.^r Walter Tolly, Jun.^r

For Kent County.

M.^r John Maxwell.

For Talbot County.

M.^r James Lloyd Chamberlaine,
M.^r Edward Lloyd,

For Ann Arundel County.

M.^r Brice T. B. Worthington,
M.^r Thomas Johnson, Jun.^r,
M.^r Samuel Chase,
M.^r John Hall.

For Prince Georges County.

M.^r Robert Tyler,
M.^r Joseph Sim
M.^r Thomas Contee.

For the City of Annapolis.

M.^r William Paca
M.^r Matthias Hammond.

For Queen-Anne's County.

M.^r Richard Tilghman Earle.

For Calvert County

M.^r William Lyles
M.^r Alexander Somervell,
M.^r Richard Parran.

For Cæcil County

M.^r John Veazy,
M.^r Stephen Hyland,
M.^r Joseph Gilpin

For Charles County.

M.^r William Smallwood,
M.^r Francis Ware,
M.^r Josias Hawkins.

For Worcester County

M.^r Peter Chaille,
M.^r Nehemiah Holland.

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For Frederick County
M.^r Henry Griffith
M.^r Jacob Funk.

For Caroline County
M.^r Thomas White.

A sufficient Number of Members to compose a House being convened at the House prepared by M.^r Joshua Frazier for the Use of the Publick, Ordered, That M.^r Worthington and M.^r Chamberlaine do acquaint his Excellency the Governor therewith. They return and acquaint M.^r Speaker they delivered the Message.

Benedict Calvert and George Steuart, Esquires, from the Upper House, acquaint M.^r Speaker that the Governor requires the Attendance of the Members of the Lower House immediately in the Council Chamber. M.^r Speaker left the Chair, and, attended by the Members of the Lower House, went to the Council Chamber, where his Excellency made the following Speech:

Gentlemen of the Upper and Lower Houses of Assembly,

I Have Nothing at this Time particularly to propose to your Consideration, which would not be a Repetition of what I recommended at the Opening of last Session. But, having obtained Permission to return to England, for a short Time on Account of some Affairs, which require my personal Attendance there, I presumed it would be agreeable to you to convene before my Departure, and therefore now meet you, and shall, with the greatest Pleasure, be ready to cooperate with you, in establishing such Regulations, as may be conducive to the Welfare of this Province.

M.^r Speaker, attended by the Members of the Lower House, returned and resumed the Chair.

p. 341 Ordered, That the Governor's Speech, a Copy of which having been delivered to M.^r Speaker be read; and it was read accordingly.

The House adjourns till To-morrow Morning 9 O'Clock.

Mar. 24

Thursday, March 24, 1774.

The House met.

All Members present as on Yesterday.

The Proceedings of Yesterday were read.

M.^r Ringgold, M.^r Weems, and M.^r Deye appeared in the House.

Resolved, That the Hours for sitting for Dispatch of the Publick Business during this Session be from Nine O'Clock in the Morning until one in the Afternoon, and from three till five.

Ordered, That a Message be prepared to the Upper House acquainting them therewith.

Resolved, That the Rules of last Session be observed this Session.

Ordered, That M.^r Bond, M.^r Parran, M.^r Hawkins, M.^r Gilpin,

and M.^r Contee, be a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

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Ordered, That a Message be prepared to the Upper House acquainting them therewith.

Ordered, That the several Gentlemen appointed last Session upon the Committee of Elections and Privileges, the Committee of Grievances and Courts of Justice, the Committee of Accounts, the Committee to inspect the several publick Offices, and the Committee to inspect the Arms and Ammunition, be continued upon the said several Committees this Session.

The following Resolve :

Resolved by the House, That the Members, who shall be appointed as Members of the Committee of Aggrievances, have likewise the Character of a Committee for Courts of Justice; and that that Character, and the Duty of such Committee, be annexed to the said Committee of Aggrievances, as a standing Part of their Duty. And, that it be an Instruction to the said Committee of Courts of Justice, that they observe the Nature of all the Commissions to the several Courts of Judicature within this Province, and that they especially observe any Alterations that may at any Time happen, by accidental Omission or otherwise, therein; and particularly relating to such Words therein, as the several Judges and Justices to hear, try, and determine according to the Laws, Statutes, Ordinances, and reasonable Customs of England and of this Province, or to such other Words as have Relation thereto; and that they shall immediately make Report to the House of any Alteration that shall at any Time happen in such Commission; and likewise to have Regard, as near as may be, to observe wherein they differ from the Forms of the several Sorts of Commissions to the Judges and Justices in England; and also to enquire and report, whether it appears that the several Magistrates in this Province have been duly qualified agreeable to Law.

Was read and ordered to be entered.

The following Messages, Viz.

By the Lower House of Assembly, March 24, 1774.

May it please Your Honours

This House hath appointed from Nine O'Clock in the Morning until One in the Afternoon, and from three till five, for its sitting every Day during this Session for the Dispatch of publick Business.

Signed by Order, John Duckett, Cl. Lo. Ho.

By the Lower House of Assembly, March 24, 1774.

May it please your Honours,

This House hath appointed Mess.^{rs} Bond, Parran, Hawkins, Gilpin and Contee, to join one or more of the Members of your House

L. H. J. as a Committee to inspect the Office and Proceedings of the Com-
 Liber 54 missioners for emitting Bills of Credit.
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Signed by Order, John Duckett, Cl. Lo. Ho.

Were severally read, and sent to the Upper House by M.^r Contee and M.^r Ridgely.

Ordered, That M.^r Chase, M.^r Johnson, and M.^r Paca, be a Committee to enquire what Laws will expire with the Close of this Session, and report the same to the House.

Ordered, That M.^r Gabriel Duvall and M.^r John Courts Jones be continued Committee Clerks.

Ordered, That the Governor's Speech be read a second Time, and it was read accordingly.

Ordered, That M.^r J. Hall, M.^r Johnson, M.^r Paca, M.^r Chase, M.^r Lloyd, M.^r Chamberlaine, and M.^r Sim, do prepare and bring in an Address in Answer thereto.

On Motion, Ordered, That Leave be given to bring in a Bill for the Adjournment of the Provincial Court, and that M.^r Chase, M.^r Johnson, M.^r Hall and M.^r Paca, do prepare and bring in the same.

Ordered, That M.^r Chase to acquaint the Rev. M.^r David Love, that he is desired by this House to read Divine Service every Morning during this Session at Nine O'Clock.

On Motion, Ordered, That M.^r Speaker do issue his Warrant to the Secretary of this Province requiring him to issue a new Writ of Election to the Sheriff of Charles County, to elect a Delegate to serve for that County in this Present General Assembly, in the Room of M.^r Robert Henley Courts, deceased.

Daniel of Saint Thomas Jenifer, Esq; from the Upper House, delivers to M.^r Speaker the following Message:

By the Upper House of Assembly, March 24, 1774

Gentlemen,

This House hath appointed Benedict Calvert and Daniel of Saint Thomas Jenifer, Esquires, to join the Members named by your House, in a Committee to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit.

Which was read.

The House adjourns till 3 O'Clock.

Post Meridiem.

The House met.

M.^r Barnes appeared in the House.

M.^r Paca brings in and delivers to M.^r Speaker an Address to his Excellency, which was read the first Time and ordered to lie on the Table.

The Order of the Day for taking into Consideration the Petition of sundry Inhabitants of St. Mary's, Charles, Calvert, and Prince George's Counties, which was referred from last Session to this Day, being read, the same is further referred for Consideration till Tuesday the Twelfth Day of April next.

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The House adjourns till To-morrow Morning 9 O'Clock

Friday March 25, 1774.

Mar. 25

The House met.

All Members present as on Yesterday.

The Proceedings of Yesterday were read.

M.^r T. Wright appeared in the House.

On Motion, Ordered, That the Sheriff of Anne-Arundel County immediately attend at the Bar of this House, and produce to this House the Proclamation issued in the Name of his Excellency the Governor, notifying the Cause of convening this Assembly at an earlier Season than that to which it stood prorogued.

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Ordered, That the Clerk of this House do forthwith deliver to the Serjeant at Arms attending this House a Copy of the above Order.

Ordered, That the Serjeant at Arms attending this House do forthwith serve the Sheriff with a Copy of the said Order.

The House being informed that the Sheriff of Anne-Arundel County was attending, Ordered, That he be called in, and he appeared accordingly, and at the Bar presented to the House the abovementioned Proclamation.

Ordered, That the Clerk of this House do take a Copy of the same, and make it a Part of these Proceedings; which he accordingly did, and it follows in these Words.

Maryland ss.^t

By his Excellency Robert Eden, Esq; Governor and Commander in Chief in and over the Province of Maryland,

A Proclamation.

Rob.^t Eden.

Whereas the present General Assembly of this Province stands prorogued to Monday the fourth Day of April next, and Whereas some Business for the general Utility of the Province requires their Meeting before that Time, I have therefore thought fit, with the Advice of the Lord Proprietary's Council of State, to publish and declare, and I do hereby publish and declare, that the said General Assembly meet and be held at the City of Annapolis, on Monday

L. H. J. the twenty first Day of March next. And to the Intent that all Per-
 Liber 54 sons concerned may have due Notice thereof, I do hereby strickly
 Mar. 25 charge and require the several Sheriffs of this Province to make
 this my Proclamation publick in their respective Counties in the usual
 Manner, as they will Answer the Contrary at their Peril.

Given at the City of Annapolis this twenty-fourth Day of Feb-
 ruary, in the third Year of the Dominion of the Right Honourable
 Henry Harford, Esq; Anno Domini 1774.

Signed by Order, James Brooks, Cl. Con.

The House adjourns till 3 OClock.

Post Meridiem.

The House met.

The House adjourns till To-morrow Morning 9 OClock.

Mar. 26

Saturday, March 26, 1774.

The House met.

All Members present as on Yesterday.

The Proceedings of Yesterday were read.

M.^r Waters appeared in the House.

On Motion, Ordered, That the Address to his Excellency be read
 a second Time, and it was read accordingly, approved, and ordered
 to be ingrossed.

Ordered, That M.^r Benjamin Ford be continued a Committee
 Clerk.

The House appoint M.^r Saint George Peale a Committee Clerk.

Ordered, That he be qualified.

The following Certificate, Viz.

Anne-Arundel County ss.^t

I Hereby certify, that on the 26.th of March, 1774, came Saint
 George Peale before me the Subscriber, one of the Justices of the
 Peace for the County aforesaid, and took the several Oaths to the
 Government required by Law subscribed the Oath of Abjuration,
 repeated and signed the Test and took the following Oath. Viz.
 “I Saint George Peale do swear, that I will true Entries make of all
 such Matters and Things as shall be to directed by any Committee
 of the Lower House of Assembly for whom I shall act as Clerk;
 and that I will not divulge the Secrets of the said House, or of any
 Committee thereof, but will in all Things well and truly demean
 myself, according to the best of my Skill and Knowledge. So help
 me God.”

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R Ghiselin.

Was read and ordered to be entered.

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M.^r Sim brings in and delivers to M.^r Speaker the following Address.

To his Excellency Robert Eden, Esquire Governor and Commander in Cheif in and over the Province of Maryland.

The Humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland in General Assembly convened, return your Excellency Thanks for your Speech at the opening of this Session.

Convinced of the extensive Utility of the several Subjects which you were pleased to recommend, We shall take an early Opportunity to pay a proper Regard and Attention to such of them as remain unfinished, and can at this inconvenient Season be fully considered.

Which was read and assented to, and signed by Order of the House by the Honourable Speaker.

Ordered, That M.^r Smallwood and M.^r Chaille do acquaint his Excellency that this House hath prepared an Address to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint M.^r Speaker, that the Governor signified he would receive the Address immediately at his own House.

Ordered, That M.^r Worthington, M.^r Hawkins, and M.^r Ringgold, do present the Address to his Excellency.

M.^r J. Hall brings in and delivers to M.^r Speaker, a Bill, entitled, An Act for Adjournment of the Provincial Court; which was read the first and second Time by an especial Order and will pass.

The House adjourns till 3 o'Clock.

Post Meridiem

The House met.

The Bill, entitled, An Act for the Adjournment of the Provincial Court, was sent to the Upper House by M.^r Chase and M.^r Barnes.

The House adjourns till Monday Morning 9 O'Clock.

Monday, March 28, 1774.

Mar. 28

The House met.

All Members present as on Saturday except M.^r Chaille and M.^r Lloyd.

The Proceedings of Saturday were read.

M.^r Thomas, M.^r Aq. Hall, and M.^r Purnell appeared in the House.

L. H. J. His Excellency communicates to M.^r Speaker the following Mes-
 Liber 54 sage.
 Mar. 28

p. 345 Gentlemen of the Lower House of Assembly.

Your Assurance of your Attention to the several Subjects I have on former Occasions recommended to you, on your Conviction of their Utility, gives me Pleasure; and I can only repeat, that I shall be happy in passing into Laws any Regulations you may agree upon.

26.th March, 1774.

Rob.^t Eden.

Which was read.

M.^r Speaker laid before the House a Petition of Thomas Bedford, John Carter, William Dennis, and Andrew Spence, setting forth, That they are Sailors belonging to the Ship Chance, Captain Robert Campbell Commander; that the Captain had very cruelly treated them, for which Reason they left the Ship, now lying in the Harbour; whereupon the said Captain had, and still has, their Bodies confined in Jail: And therefore praying the Interposition of the Legislature.

Which was read and rejected.

On Motion, Ordered, That Leave be given to bring in a Bill for the Regulation of Officers Fees; and that M.^r T. Wright, M.^r Johnson, M.^r Sim, M.^r Ringgold, M.^r Chase, M.^r J. Hall, M.^r Paca, M.^r Tyler, M.^r Hammond, M.^r Worthington, M.^r Earle, M.^r White, and M.^r Aq. Hall, do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in a Bill for abolishing June County Courts; and that M.^r Johnson, M.^r T. Wright, M.^r Bond, M.^r Barnes, and M.^r Chamberlaine, do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in a Bill for more effectually preventing the buying and selling of Offices; and that M.^r Chase and M.^r Paca do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in a Bill for the Relief of insolvent Debtors; and that M.^r Chase, M.^r Thomas, M.^r Griffith, M.^r Tolly, and M.^r Chamberlaine, do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in a Bill for the Enlargement of the Powers of the Corporation and the Jurisdiction of the Mayor's Court of the City of Annapolis, and that M.^r Paca, M.^r Hammond, M.^r Chase, M.^r J. Hall, and M.^r Johnson, do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in a Bill, to repeal an Act, entitled, An Act against Ingrossers and Regrators; and that M.^r Chase, M.^r Thomas, and M.^r Paca, do prepare and bring in the same.

William Fitzhugh, Esq; from the Upper House delivers to M.^r Speaker the Bill, entitled, An Act for the Adjournment of the Provincial Court, thus indorsed; "By the Upper House of Assembly,

March 26, 1774: Read the first and second Time by an especial Order and will pass.

L. H. J.
Liber 54
Mar. 28

Signed by Order, James Brooks, Cl. Up. Ho."

Which was read here and passed for ingrossing.

On Motion, Ordered, That Leave be given to bring in a Bill against Ingrossers and Reagrators; and M.^r J. Hall, M.^r Chase, M.^r Earle, and M.^r Griffith, do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in a Bill for the speedy Recovery of small Debts out of Court; and that M.^r Hammond, M.^r Tolly, M.^r J. Hall, M.^r Hawkins, M.^r Griffith, and M.^r Worthington do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in a Bill to regulate the Payment of Attornies Fees; and that M.^r T. Wright, M.^r Chase, M.^r J. Hall, M.^r Hammond, M.^r Johnson, M.^r Worthington, M.^r Deye, and M.^r Tyler, do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in the Bill relating to the Office of Chancellor, and that M.^r Chase, M.^r T. Wright, M.^r Paca, M.^r J. Hall, M.^r Johnson, and M.^r Sim do prepare and bring in the same.

The House adjourns till 3 OClock.

Post Meridiem

p. 346

The House met.

M.^r Ward, and M.^r Reeder appeared in the House.

The ingrossed Bill, N.^o 1, was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by M.^r Thomas and M.^r Weems.

William Hayward, Esq; from the Upper House, delivers to M.^r Speaker the Paper Bill N.^o 1, thus endorsed; "By the Upper House of Assembly, March 28, 1774: The ingrossed Bill, "whereof this is the Original read and assented to.

Signed by Order, James Brooks, Cl. Up. Ho."

Philip Thomas Lee and Benjamin Ogle, Esquires, from the Upper House, acquaint M.^r Speaker, that the Governor requires the Attendance of this House immediately in the Upper House to see a Bill passed.

M.^r Speaker left the Chair, and, attended by the Members of this House, went to the Upper House and there presented to his Excellency an ingrossed Bill, entitled, An Act for the Adjournment of the Provincial Court, which his Excellency passed into a Law in the usual Manner.

M.^r Speaker, attended by the Members of this House, returned and resumed the Chair.

The House adjourns till To-morrow Morning 9 O'Clock.

L. H. J.
Liber 54
Mar. 29

Tuesday, March 29, 1774.

The House met.

All Members present as on Yesterday,

The Proceedings of Yesterday were read.

M.^r Lloyd and M.^r J. Ennalls appeared in the House.

On Motion, Ordered, That Leave be given to bring in a Bill concerning Provincial Grand Jurors; and that M.^r Thomas, M.^r Chamberlaine, and M.^r Earle, do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in a Bill to levy on the Taxable Inhabitants of All Saint's Parish in Calvert County a Quantity not exceeding 200,000 lb of Tobacco, for the building of a Parish Church at or near the Place where the old one now stands; and that M.^r Weems, M.^r Lyles, M.^r Parran, M.^r Somervell and M.^r J. Hall, do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in a Bill to prevent Infection from the Ship Chance; and that Chase, M.^r J. Hall, M.^r Johnson M.^r Paca, and M.^r Hammond, do prepare and bring in the same

John Ridout, Esq; from the Upper House delivers to M.^r Speaker a Petition of sundry Inhabitants of Prince George's County, for repairing the Roads in that County, thus indorsed; "By the Upper House of Assembly, 29 March, 1774: Read: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl, Up. Ho."

Which was read here the first Time and ordered to lie on the Table.

M.^r Key and M.^r Ridgely have Leave of Absence.

M.^r Paca brings in and delivers to M.^r Speaker a Bill, entitled, An Act for more effectually preventing the buying and selling of Offices. Which was read the first Time and ordered to lie on the Table.

The House adjourns till 3 O'Clock.

Post Meridiem.

The House met.

M.^r So. Wright and M.^r Beall appeared in the House.

p. 347 M.^r Chase brings in and delivers to M.^r Speaker a Bill, entitled, An Act to prevent Infection from the Ship Chance. Which was read the first and second Time by an especial Order, passed, and sent to the Upper House by M.^r Aq. Hall and M.^r Holland.

M.^r Bond brings in and delivers to M.^r Speaker a Bill, entitled, An Act for abolishing June County Courts. Which was read the first Time and ordered to lie on the Table.

On Motion, Ordered, That M.^r Beall, and M.^r So. Wright be added to the Committee appointed to bring in the Bill for the Regulation of Officers Fees.

Benjamin Ogle, Esq; from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act to prevent Infection from the Ship Chance, thus indorsed; "By the Upper House of Assembly March 29, 1774: Read the first and second Time By an especial Order and will pass.

L. H. J.
Liber 54
Mar. 29

Signed by Order, James Brooks Cl. Up. Ho."

Which was read here and passed for ingrossing.

The ingrossed Bill, N.^o 2. was read and assented to, and sent to the Upper House, with the Paper Bill thereof, by M.^r Ward and M.^r Hammond.

William Hayward, Esq; from the Upper House delivers to M.^r Speaker the Paper Bill, N.^o 2, thus indorsed; "By the Upper House of Assembly, March 29, 1774: The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order, James Brooks, Cl. Up. Ho."

John Ridout and Philip Thomas Lee, Esquires, from the Upper House acquaint M.^r Speaker, that the Governor requires the Attendance of this House immediately in the Upper House, to see the Law passed.

M.^r Speaker left the Chair, and, attended by the Members of this House, went to the Upper House, and there presented to the Governor an ingrossed Bill, entitled, An Act to prevent Infection from the Ship Chance: Which his Excellency passed into a Law in the usual Manner. M.^r Speaker, attended by the Members of this House, returned and resumed the Chair.

The House adjourns till To-morrow Morning 9 O'Clock.

Wednesday March 30, 1774.

Mar. 30

The House met.

All Members present as on Yesterday, except M.^r Ridgely, M.^r Key, and M.^r Lloyd.

The Proceedings of Yesterday were read.

M.^r Chaille and M.^r Robins appeared in the House.

The House adjourns till 3 O'Clock.

Post Meridiem.

The House met, and adjourned till To-morrow Morning 9 O'Clock.

Thursday, March 31, 1774.

Mar. 31

The House met.

All Members present as on Yesterday.

L. H. J. The Proceedings of Yesterday were read.
 Liber 54 M.^r Lloyd appeared in the House.
 Mar. 31

M.^r Ware hath Leave of Absence.

M.^r Worthington brings in and delivers to M.^r Speaker a Bill, entitled, An Act for the Regulation of Officers Fees. Which was read the first Time and ordered to lie on the Table.

p. 348 John Ridout, Esq; from the Upper House delivers to M.^r Speaker a Petition of Benjamin Canada Stoddart; a Petition of Jeremiah Crabb; a Petition of sundry Inhabitants of Somerset and Worcester Counties; a Petition of sundry Inhabitants of Prince George's County; and the Application of Charles Wilson Peale; severally indorsed; "By the Upper House of Assembly, March 31, 1774: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl. Up. Ho."

Which were severally read here the first Time and ordered to lie on the Table.

John Ridout, Esq; also delivers to M.^r Speaker sundry Prisoners Petitions, with a List of their Names: Which list was thus indorsed, "By the Upper House of Assembly, March 31, 1774: The several Petitions herein mentioned are read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl. Up. Ho.

The House adjourns till 3 O'Clock.

Post Meridiem.

The House met.

The Petition of Jeremiah Crabb was read the second Time and granted, and Leave given to bring in a Bill pursuant to the Prayer thereof.

M.^r Chase brings in and delivers to M.^r Speaker a Bill, entitled, An Act relating to the Office of Chancellor. Which was read the first Time and ordered to lie on the Table.

On Motion, Ordered, That Leave be given to bring in a Bill to preserve the Independence of the Members of the Lower House of Assembly of this Province, and that M.^r Tyler, M.^r Weems, M.^r Hammond, M.^r J. Hall, M.^r Chase, M.^r Deye, and M.^r Beall do prepare and bring in the same.

On Motion, Ordered, That Leave be given to bring in a Bill to assess and levy, on the taxable Inhabitants of All-Hallows Parish in Worcester County, a Quantity not exceeding Forty five Thousand Pounds of Tobacco, for the Purpose of erecting a Chapel of Ease in the said Parish; and that M.^r Chaille, M.^r Holland, M.^r Purnell, and M.^r Robins, do prepare and bring in the same.

On Progression in reading a second Time the Bill for the Regulation of Officers Fees, on Motion the Question was put, That a Fee be inserted to the Chancellor for passing a final Decree? Carried in the Negative.

L. H. J.
Liber 54
Mar. 31

For the Negative.

Mess. ^{rs}	Bond,	Tolly,	Gilpin,
	Maxwell,	Deye,	Ward,
	Ringgold,	Tyler,	Chaille,
	Worthington,	Sim,	Holland,
	J. Hall,	Contee,	Purnell,
	Hammond,	Beall,	Robins,
	Lyles,	Earle,	Griffith,
	Weems,	So. Wright,	Funk,
	Hawkins,	Veazy,	Aq. Hall.
	Waters,	Hyland,	[29]

For the Affirmative.

Mess. ^{rs}	Barnes,	Somervell,	Thomas,
	Reeder,	Parran,	T. Wright,
	Johnson,	Smallwood,	White.
	Chase,	J. Ennalls,	
	Paca,	Chamberlaine,	[13]

Ordered, That the Letter from the Speaker of New-Hampshire be read a Second Time, and it was read accordingly.

The House adjourns till To-morrow Morning 9 O'Clock.

Friday, April 1, 1774.

Apr. 1
p. 349

The House met.

All Members present as on Yesterday except M.^r Ware.

The Proceedings of Yesterday were read.

M.^r Chamberlaine, M.^r Sim, M.^r Griffith, M.^r Aq. Hall, and M.^r Lloyd, have Leave of Absence for a few Days.

William Hayward, Esq; from the Upper House, delivers to M.^r Speaker a Petition of Benjamin Harris of Frederick County.

The House adjourns till 3 O'Clock.

Post Meridiem.

The House met.

On further Progression in reading the Bill for the Regulation of Officers Fees, the Question was put, That there be an Allowance to the Sheriff for executing the Sentence of Death on every condemned Criminal? Carried in the Negative.

L. H. J.
Liber 54
Apr. 1

For the Negative.

Mess. ^{rs}	Bond,	Hawkins,	Ward,	[21]
	Maxwell,	Waters,	Chaille,	
	Worthington,	Deye,	Holland,	
	J. Hall,	Tyler,	Purnell,	
	Hammond,	Contee,	Robins,	
	Lyles,	Veazy,	Griffith,	
	Weems,	Hyland,	Funk,	

For the Affirmative.

Mess. ^{rs}	Reeder,	Parran,	Beall,	[13]
	Ringgold,	J. Ennals,	Gilpin,	
	Johnson,	Chamberlaine,	White.	
	Chase,	Thomas,		
	Somervell,	Sim,		

The said Bill was read throughout and committed for Amendments.

M.^r Ridgely appeared in the House.

The Petition brought from the Upper House this Forenoon by William Hayward, Esq. was read. Ordered, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House; and M.^r Griffith, M.^r Funk, and M.^r Beall, are appointed a Committee accordingly, and they have Power to send for Persons, Papers, and Records.

The House adjourns till To-morrow Morning 9 O'Clock.

Apr. 2

Saturday, April 2, 1774.

The House met.

All Members present as on Yesterday except M.^r T. Wright, who left the House without Leave, and M.^r Griffith, M.^r Aq. Hall, and M.^r Lloyd.

The Proceedings of Yesterday were read.

M.^r Key and M.^r Beatty appeared in the House.

M.^r Contee hath Leave of Absence.

M.^r Beall brings in and delivers to M.^r Speaker the following Report.

By the Committee appointed to enquire into the Facts set forth in the Petition of Benjamin Harris of Frederick County, April 2, 1774.

Your Committee having examined the Deed mentioned in the aforesaid Petition, beg Leave to report, That the same does not

appear ever to have been recorded, and that the several Facts set forth in the said Petition are true. All which is humbly submitted. L. H. J.
Liber 54
Apr. 2

Signed by Order, Benjamin Ford, Cl. Com.

Which was read, and the Petition of Benjamin Harris of Frederick County was read a second Time and granted, and Leave given the Petitioner to bring in a Bill pursuant to the Prayer of the said Petition. p. 350

On Motion, Resolved, That this House will, on Thursday next, take into Consideration the several Matters recommended by his Excellency.

M.^r Paca hath Leave of Absence.

M.^r Holland brings in and delivers to M.^r Speaker a Bill, entitled, An Act to assess and levy on the taxable Inhabitants of All-Hallows Parish in Worcester County, a Quantity not exceeding Forty-five Thousand Pounds of Tobacco for the Purpose of erecting a Chapple of Ease in the said Parish. Which was read the first Time and ordered to lie on the Table.

M.^r Lyles brings in and delivers to M.^r Speaker a Bill, entitled, An Act for the building of a Parish Church in all-Saints Parish in Calvert County. Which was read the first Time and ordered to lie on the Table.

Philip Thomas Lee, Esq from the Upper House delivers to M.^r Speaker a Petition of Leonard Hollyday; a Petition of Joseph Ensor; and a Petition of sundry Creditors of Francis Hepburn, against his Release out of Anne-Arundel County Jail.

The Petition of Leonard Hollyday was read. Ordered, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House; and M.^r Beall, M.^r J. Hall, and M.^r Somervell, are appointed a Committee accordingly, and they have Power to send for Persons, Papers and Records.

The Petition of Joseph Ensor was read. Ordered, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House; and M.^r Deye, M.^r Ridgely, M.^r Tolly, and M.^r Chase, are appointed a Committee accordingly, and they have Power to send for Persons, Papers, and Records.

The Bill, entitled, An Act for the Regulation of Officers Fees, which had been committed for Amendments, was read a second Time with the Amendments, and passed.

The House adjourns till 3 O'Clock.

L. H. J.
Liber 54
Apr. 2

Post Meridem.

The House met.

The Bill, entitled, An Act for the Regulation of Officers Fees, was sent to the Upper House by M.^r Worthington, M.^r Beall, M.^r Smallwood, M.^r Veazy, and M.^r Barnes.

On Motion, Ordered, That Leave be given to bring in a Bill, entitled, An Act empowering the Justices of Calvert County, to levy on the taxable Inhabitants of Christ-Church Parish in the said County, the Quantity of Tobacco therein mentioned, for the Purpose of finishing and compleating their Parish Church; and that M.^r Somervell, M.^r J. Hall, M.^r Parran, and M.^r Robins do prepare and bring in the same.

The House adjourns till Monday Morning 9 O'Clock.

Apr. 4

Monday, April 4, 1774.

The House met.

All Members present as on Saturday except M.^r Paca, M.^r Weems, M.^r Earle, M.^r Sim, M.^r Contee, and M.^r Chamberlaine.

The Proceedings of Saturday were read.

p. 351 M.^r Thomas brings in and delivers to M.^r Speaker, a Bill, entitled, An Act for repealing an Act against Ingrossers and Regraters; and a Bill, entitled, An Act concerning Provincial Grand Jurors. Which were severally read the first Time and ordered to lie on the Table.

A Bill, entitled, An Act for the Relief of Benjamin Harris of Frederick County, was read the first Time and ordered to lie on the Table.

On Motion, pursuant to a Petition preferred last Session, Ordered, That Leave be given to bring in a Bill to empower the Justices of Somerset and Worcester County Courts, to levy on the Taxable Inhabitants of Coventry Parish, the Quantity of Thirty-two Thousand Pounds of Tobacco, for the Uses and Purposes therein mentioned; and that M.^r Chaille, M.^r Holland, M.^r Purnell, M.^r Robins, and M.^r Waters, do prepare and bring in the same.

The Petition of sundry Inhabitants of Prince Georges County was read the second Time and granted, and Leave given to bring in a Bill pursuant to the Prayer thereof. Ordered, That M.^r Beall, M.^r Tyler, M.^r Sim, M.^r Contee, and M.^r Chase, do prepare and bring in the same.

The Bill, entitled, An Act for abolishing June County Courts, was read the second Time and passed.

The House adjourns till 3 O'Clock.

Post Meridiem.

L. H. J.
Liber 54
Apr. 4

The House met.

M.^r Tolly brings in and delivers to M.^r Speaker a Bill, entitled, An Act for the Relief of insolvent Debtors. Which was read the first and ordered to lie on the Table.

The Bill, entitled, An Act for abolishing June County Courts, was sent to the Upper House by M.^r Thomas and M.^r So. Wright. The House adjourns till To-morrow Morning 9 O'Clock.

Tuesday, April 5, 1774.

Apr. 5

The House met.

All Members present as on Yesterday.

The Proceedings of Yesterday were read.

M.^r Richardson appeared in the House.

The Order of the Day, for taking into Consideration the Petition for a Ware House at Carrollsburg, which was referred from the last Session to this Day, being read the same is further referred for Consideration on Fryday next.

The Order of the Day, for taking into Consideration the Petition of the Rector, Vestrymen and Churchwardens, &c. of Saint Paul's Parish, lying partly in Queen Anne's and partly in Talbot Counties, which was referred from last Session to this Day, being read, the same is further referred for Consideration on Tuesday next.

The Petition of sundry Inhabitants of Somerset and Worcester Counties, for a Sum of Money for defraying the Expences of cutting a Canal near the Mouth of the River Pocomoke, was read the second Time, and referred till next Session of Assembly.

The House being informed, that M.^r Charles Ridgely Son of John, a Delegate returned for Baltimore County, was attending; Ordered, That M.^r Ridgely and M.^r Tolly do go with that Gentleman to the Upper House to see him qualified. They return and acquaint M.^r Speaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

A Petition of the Vestry and Churchwardens of Stepney Parish was read and granted, and Leave given to bring in a Bill pursuant to the Prayer thereof. Ordered, That M.^r Waters, M.^r J. Hall, M.^r Chaille, M.^r Holland, M.^r Purnell, M.^r Robins and M.^r Johnson, do prepare and bring in the same. p. 352

M.^r Beall brings in and delivers to M.^r Speaker the following Report.

By the Committee appointed to enquire into and state the Facts contained in the Petition of Doctor Leonard Hollyday.

Your Committee in Obedience to the Order of the Honourable

L. H. J.
Liber 54
Apr. 5

House, have enquired into the Truth of the Facts in the same Petition contained, and beg Leave to report as follows. It appears to your Committee that on the tenth Day of June, in the Year, 1754, Robert Etherington, of this Province, Mariner entered into a Bond or Obligation, payable to Isaac Levy in the penal Sum of Three hundred and fifty Pounds Sterling, conditioned for the Payment of One hundred and seventy five Pounds Sterling, with Interest thereon. That Action was brought on said Bond in the Provincial Court, and Judgment obtained at April Term, 1758, for the Penal Sum of Sterling Money aforesaid, and Five hundred and thirty four Pounds of Tobacco Costs of Suit; soon after which the said Robert Etherington died and the said John Barnes administered on his Estate, and returned an Inventory thereof into the Commisary's Office, amounting only unto One hundred and nineteen Pounds nineteen Shillings Current Money. It appears further to your Committee, that Scire facias issued on the Judgment above-mentioned as stated in the Petition, and Judgment was revived about the Time therein set forth; after which the said John Barnes obtained an Injunction in Chancery to stay Proceedings at Law, and the said Leonard Hollyday, together with John Gray of Patuxent were his Securities. That after the Answer of Isaac Levy came in, shewing the Application of Payments alledged by the Complainant to another Bond given by the said Robert Etherington to the said Isaac Levy, the Injunction was dissolved, and the said John Barnes is since dead, and, as your Committee believe, insolvent. It appears further that Suits have been brought on the Injunction Bond, as the Petitioner hath set forth, returnable to next Provincial Court; and it does not appear there is any Estate or Effects of Robert Etherington in this Province to satisfy said Judgment, except the small personal Estate aforesaid, and the Tract of Land in said Petition mentioned, together with the Rents of said Land for some Years past, which your Committee have been informed are still due and outstanding. It appears also that the said Robert Etherington hath left no Heir at Law in this Province, but your Committee are informed, and believe, the Heir lives in Parts beyond the Seas, out of the Reach of any Process of the Courts here, All which is submitted to the Honourable House.

Signed by Order, Benjamin Ford, Cl. Com.

Which was read; and the Petition of Leonard Hollyday was read and granted, and Leave given to the Petitioner to bring in a Bill pursuant to the Prayer thereof.

The Bill, entitled, An Act for repealing an Act against Ingrossers and Regrators; the Bill, entitled, An Act concerning Provincial Grand Jurors; and the Bill, entitled, An Act for the Relief of Benjamin Harris of Frederick County, were severally read the second

Time by an especial Order, passed, and sent to the Upper House by M.^r Chaille and M.^r Ridgely Son of John.

L. H. J.
Liber 54
Apr. 5

The House adjourns till 3 O'Clock.

Post Meridiem.

p. 353

The House met.

M.^r T. Wright and M.^r Ringgold appeared in the House.

The Order of the Day, for taking into Consideration the Petition of Henry Warring which was referred from last Session to this Day, being read the said Petition was read, and, on Consideration thereof, it was resolved by the House, that the House therein mentioned be established as a Warehouse under the same Inspection with Magruder's Warehouse, and that a Bill be brought in for that Purpose. Ordered, That M.^r Chase, M.^r Johnson, M.^r J. Hall, M.^r Beall, and M.^r Tyler, do prepare and bring in the same.

The Order of the Day for taking into Consideration the Petition for the Removal of Chaptico and Piles's Warehouses, and the Petition against the Removal of them which were referred from last Session to this Day, being read, Ordered, That they be taken into Consideration To-morrow Morning, and that the Parties have Leave to be heard by Counsel.

Benjamin Ogle, Esq from the Upper House, delivers to M.^r Speaker a Petition of sundry Parishioners of King and Queen Parish in St. Mary's County; a Petition of sundry Inhabitants of Frederick County, for repairing the Roads; Two Petitions from the Visitors of Eden School; a Petition of sundry Inhabitants of St^t Paul's Parish, lying partly in Queen-Anne's and partly in Talbot Counties; and a Petition of sundry Inhabitants of Patapsco Lower Hundred in Baltimore County, for laying out a Road; severally indorsed; "By the Upper House of Assembly, April 5, 1774: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl. Up. Ho."

The last mentioned Petition was read here and granted, and Leave given to bring in a Bill pursuant to the Prayer thereof, Ordered, That M.^r Ridgely, M.^r Deye, M.^r Tolly, and M.^r Ridgely Son of John, do prepare and bring in the same.

The other Petitions were severally read the first Time and ordered to lie on the Table.

M.^r White being very much indisposed, is excused from Attendance.

The House adjourns till To-morrow Morning 9 O'Clock.

L. H. J.
Liber 54
Apr. 6

Wednesday April 6, 1774.

The House met.

All Members present as on Yesterday.

The Proceedings of Yesterday were read.

M.^r Griffith appeared in the House.

M.^r Somervell hath Leave of Absence for a few Days.

M.^r Ridgely brings in and delivers to M.^r Speaker a Bill, entitled, An Act for the Relief of sundry Inhabitants of Patapsco Lower Hundred in Baltimore County. Which was read the first Time and ordered to lie on the Table.

M.^r Hammond brings in and delivers to M.^r Speaker a Bill, entitled, An Act for the speedy Recovery of small Debts out of Court. Which was read the first Time and ordered to lie on the Table.

The Order of the Day being read, the House took into Consideration the Petitions for and against the Removal of Chaptico and Piles's Warehouses.

John Ridout, Esq from the Upper House, delivers to M.^r Speaker sundry Prisoners Petitions, with a List of their Names, thus indorsed; "By the Upper House of Assembly, April 6, 1774: The several Petitions, whereof this is a List, are read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl. Up. Ho."

The House adjourns till 3 O'Clock.

p. 354

Post Meridiem.

The House met.

M.^r Paca appeared in the House.

Daniel Dulany, Esq from the Upper House, delivers to M.^r Speaker a Petition of sundry Proprietors of Tobacco damaged in Bladensburg Warehouse by a Fresh in the Year 1767, thus indorsed; "By the Upper House of Assembly, April 6, 1774: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl. Up. Ho."

William Hayward, Esq from the Upper House delivers to M.^r Speaker the Bill, entitled, An Act for the Relief of Benjamin Harris of Frederick County; and the Bill, entitled, An Act for repealing an Act against Ingrossers and Reqrators, severally indorsed; "By the Upper House of Assembly, April 5, 1774: Read the first Time and ordered to lie on the Table

Signed by Order, James Brooks Cl. Up. Ho.

By the Upper House of Assembly April 6, 1774: Read the second Time by an especial Order and will pass.

Signed by Order, James Brooks, Cl. Up. Ho."

Which were severally read here and passed for ingrossing.

M.^r Sim appeared in the House.

L. H. J.
Liber 54
Apr. 6

The House resumed the Consideration of the Petition for the Removal of Chaptico and Piles's Warehouses. The Witnesses were examined and Counsel heard. The Counsel and Parties were ordered to withdraw; and it being moved, that the Question be put, that the said Petition for Removal be granted? The previous Question was called for and carried in the Affirmative; whereupon the Question was put, that the said Petition be granted? which was carried in the Negative, and the said Petition was accordingly rejected

The House adjourns till To-morrow Morning 9 O'Clock.

Thursday, April, 7, 1774.

Apr. 7

The House met.

All Members present as on Yesterday except M.^r Somervell.

The Proceedings of Yesterday were read.

The Order of the Day being read; Ordered, That the Governor's Speech at the opening of last October Convention be read, and it was read accordingly.

Philip Thomas Lee, Esq from the Upper House, delivers to M.^r Speaker a Petition of sundry Inhabitants of Kent County, relative to the Variation of the Compass, thus indorsed; "By the Upper House of Assembly, April 7, 1774: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks Cl. Up. Ho.

Which was read here and ordered to lie on the Table.

On Motion, Ordered, That Leave be given to bring in a Bill to establish the Boundaries and Lines of Land within this Province by Procession; and that M.^r J. Hall, M.^r Johnson, M.^r Paca, M.^r Beall, M.^r Ridgely, M.^r Thomas, M.^r Chase, M.^r Griffith, M.^r Hammond, M.^r So. Wright, M.^r Gilpin, M.^r Worthington, and M.^r Beatty do prepare and bring in the same. p. 355

The Petition of sundry Proprietors of Tobacco, damaged in Bladensburg Warehouse by a Fresh in the Year 1767, was read and rejected.

On Motion, Ordered, That Leave be given to bring in a Bill to repeal Part of an Act to encourage the destroyng of the Woolves, Crows, and Squirrels; and that M.^r Tolly, M.^r Ridgely, M.^r Deye, and M.^r Ridgely Son of John, do prepare and bring in the same.

Daniel of Saint Thomas Jenifer, Esq from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act for the Regulation of Officers Fees, thus indorsed; "By the Upper House of Assembly, April 2, 1774: Read the first Time and ordered to lie on the Table.

Signed by Order, James Brooks, Cl. Up. Ho.

L. H. J. By the Upper House of Assembly, April 7, 1774: Read the
 Liber 54 second Time and will not pass.
 Apr. 7

Signed by Order, James Brooks, Cl. Up. Ho."

And the Bill, entitled, An Act for abolishing June County Courts, thus indorsed, "By the Upper House of Assembly, April 4, 1774: Read the first Time and ordered to lie on the Table.

Signed by Order, James Brooks, Cl. Up. Ho.

By the Upper House of Assembly, April 7, 1774: Read the second Time and will pass with the following Amendments Viz. Strike out the Word, "Seven" in the two last Lines of the Continuing Clause, and instead thereof insert the Word "three."

Signed by Order, James Brooks, Cl. Up. Ho."

Which said Indorsements were severally read here, and the Amendment proposed to the last mentioned Bill was agreed to, and the Bill passed for ingrossing.

M.^r Weems appeared in the House.

On Motion, Ordered, That Leave be given to bring in a Bill relating to the publick Roads in Anne-Arundel, Baltimore, and Frederick Counties; and that M.^r Johnson, M.^r Chase, M.^r J. Hall, M.^r Worthington, M.^r Griffith, M.^r Beatty, M.^r Funk, M.^r Ridgely, M.^r Deye, M.^r Tolly, and M.^r Ridgely Son of John, do prepare and bring in the same.

The House adjourns till 3 O'Clock.

Post Meridiem.

The House met.

The Bill, entitled, An Act for the Relief of sundry Inhabitants of Patapsco Lower Hundred in Baltimore County, was read the second Time by an especial Order, passed, and sent to the Upper House, with the ingrossed Bills, N.^o 3, 4. and the Paper Bills thereof by M.^r Deye and M.^r Ridgely.

M.^r Parran brings in and delivers to M.^r Speaker, a Bill, entitled, An Act empowering the Justices of Calvert County, to levy on the taxable Persons of Christ-Church Parish in the said County, the Quantity of Tobacco therein mentioned, for the Purpose of finishing and compleating their Parish Church.

Which was read the first Time and ordered to lie on the Table.

M.^r Ridgely Son of John brings in and delivers to M.^r Speaker a Bill, entitled, An Act to repeal Part of an Act to encourage the destroying of Wolves, Crows and Squirrils.

Which was read the first and second Time by an especial Order, passed, and sent to the Upper House with the ingrossed Bill, N.^o 5, and the Paper Bill thereof, by M.^r Tolly, and M.^r Ridgely Son of John.

On Motion, Resolved, That this House will, To-morrow in the Afternoon, take into Consideration the Petition of St. Anne's Parish, which was referred from last Session to this Session. L. H. J.
Liber 54
Apr. 7

The Petition of sundry Parishioners of King and Queen Parish in St. Mary's County was read the second Time and granted, and Leave given to bring in a Bill pursuant to the Prayer thereof. Ordered, That M.^r Bond, M.^r Barnes, M.^r Key, and M.^r Reeder, do prepare and bring in the same. p. 356

The Bill, entitled, An Act for more effectually preventing the buying and selling of Offices; and the Bill, entitled, An Act relating to the Office of Chancellor; were severally read the second Time, passed, and sent to the Upper House by M.^r Johnson, M.^r Chase, M.^r Tyler, M.^r So. Wright and M.^r Richardson.

George Steuart, Esq from the Upper House, delivers to M.^r Speaker the Paper Bills, N.^o 3, 4, 5, severally indorsed; "By the Upper House of Assembly, April 7, 1774: The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order, James Brooks, Cl. Up. Ho."

The House adjourns till To-morrow Morning 9 O'Clock.

Friday April 8, 1774.

Apr. 8

The House met.

All Members present as on Yesterday.

The Proceedings of Yesterday were read.

M.^r Chamberlaine and M.^r Lloyd appeared in the House.

William Hayward, Esq from the Upper House, delivers to M.^r Speaker, the Bill, entitled, An Act to repeal Part of an Act to encourage the destroying of Wolves, Crows, and Squirrels, in Baltimore County, thus indorsed; "By the Upper House of Assembly, April 8, 1774: Read the first and second Time by an especial Order and Will pass.

Signed by Order, James Brooks, Cl. Up. Ho."

Which was read here and passed for ingrossing.

M.^r Funk hath Leave of Absence for a few Days.

The Bill, entitled, An Act for the Relief of Insolvent Debtors, was read the second Time, passed and sent to the Upper House, with the ingrossed Bill, N.^o 6, and the Paper Bill thereof, by M.^r Beall and M.^r T. Wright.

The House adjourns till 3 O'Clock.

L. H. J.
Liber 54
Apr. 8

Post Meridiem.

The House met.

The Order of the Day, for taking into Consideration the Petition of the Rector, Vestrymen, and Churchwardens, of Saint Anne's Parish, being read, the House took the same into Consideration, and on Motion the Question was put, that a Sum of Publick Money be appropriated towards the building a Church in Saint Anne's Parish in the City of Annapolis, a Part whereof to be assigned for Publick Purposes? Resolved in the Affirmative.

For the Affirmative.

Mess. ^{rs}	Bond,	Hammond,	Beall,	
	Key,	Lyles,	T. Wright,	
	Barnes,	Parran,	So. Wright,	
	Reeder,	Smallwood,	Veazy,	
	Maxwell,	Hawkins,	Gilpin,	
	Ringgold,	J. Ennalls,	Ward,	
	Worthington,	Tolly,	Holland,	
	Johnson,	Chamberlaine,	Griffith,	
	Chase,	Lloyd,	Beatty,	
	J. Hall,	Thomas,	Richardson,	
	Paca,	Sim,	Waters;	[33]

For the Negative.

Mess. ^{rs}	Weems,	Ridgely Son of	Chaille,	
	Ridgely,	John	Purnell,	
	Deye,	Tyler,	Robins.	

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The Question was then put, that the Sum of Two Thousand Pounds be appropriated?

Carried in the Negative.

p. 357

For the Negative.

Mess. ^{rs}	Reeder,	Tolly,	Ward,	
	Maxwell,	Deye,	Chaille,	
	Ringgold,	Ridgely Son of	Holland,	
	Parran,	John,	Purnell,	
	Weems,	Chamberlaine,	Robins,	
	Hawkins,	Tyler,	Griffith,	
	Waters,	So. Wright,	Richardson.	
	J. Ennalls,	Veazy,		
	Ridgely,	Gilpin,		

[24]

For the Affirmative.

L. H. J.
Liber 54
Apr. 8

Mess. ^{rs}	Bond,	J. Hall,	Sim,
	Key,	Paca,	Beall,
	Barnes,	Hammond,	T. Wright,
	Worthington,	Smallwood,	Beatty.
	Johnson,	Lloyd,	
	Chase,	Thomas,	

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John Ridout, Esq from the Upper House, delivers to M.^r Speaker the Paper Bill, N.^o 6, thus indorsed; "By the Upper House of Assembly, April 8, 1774: The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order, James Brooks, Cl. Up. Ho."

The House adjourns till To-morrow Morning 9 O'Clock.

Saturday, April 9, 1774.

Apr. 9

The House met.

All Members present as on Yesterday except M.^r Funk.

The Proceedings of Yesterday were read.

M.^r Richardson hath Leave of Absence for a few Days.

The House resumed the Consideration of the Petition of Saint Anne's Parish, and on Motion the Question was put, that the Sum of Fifteen Hundred Pounds be granted for the Purposes mentioned in the said Petition. Resolved in the Affirmative.

For the Affirmative.

Mess. ^{rs}	Bond,	Paca,	Sim,
	Key,	Hammond,	Beall,
	Barnes,	Lyles,	T. Wright
	Reeder,	Smallwood,	So. Wright
	Worthington,	Waters,	Griffith
	Johnson,	J. Ennalls,	Beatty,
	Chase,	Lloyd,	Richardson,
	J. Hall,	Thomas,	

[23]

For the Negative.

Maxwell,	Deye	Gilpin,
Ringgold,	Ridgely Son of	Ward,
Parran,	John,	Chaille,
Weems,	Chamberlaine,	Holland,
Ennalls,	Tyler,	Purnell,
Ridgely,	Veazy,	Robins,

[17]

L. H. J. Then the Question was put, that the Petition of Saint Anne's
 Liber 54 Parish be granted? Resolved in the Affirmative.
 Apr. 9

On Motion, Ordered, That Leave be given to bring in a Bill, for building and erecting a Church in Saint Anne's Parish in the City of Annapolis; and that M.^r Worthington, M.^r Johnson, M.^r Chase, M.^r J. Hall, M.^r Paca, and M.^r Hammond do prepare and bring in the same.

A Bill, entitled, An Act empowering Leonard Hollyday to sell the Land therein mentioned, was read the first Time and ordered to lie on the Table.

The Bill, entitled, An Act for the building of a Parish Church in All-Saints Parish in Calvert County was read the second Time and will pass.

The Petitions from the Visitors of Eden School were severally read the second Time and granted, and Leave given to bring in Bills pursuant to the Prayers of the said Petitions. Ordered, That M.^r Chaille, M.^r Holland, M.^r Purnell, M.^r Robins, and M.^r Waters, do prepare and bring in the said Bills.

On Motion, Ordered, That Leave be given to bring in a Bill relating to Criminals, and that M.^r Chase, M.^r Tolly, M.^r Griffith, and M.^r J. Hall, do prepare and bring in the same.

On Motion, Resolved, That this House will, on Wednesday Morning next, take into Consideration the Variation of the Compass, &c.

p. 358 William Fitzhugh, Esq from the Upper House, delivers to M.^r Speaker a Bill, entitled, An Act for King William's School in Annapolis, thus indorsed; "By the Upper House of Assembly, April 9, 1774: Read the first and second Time by an especial Order and will pass.

Signed by Order, James Brooks, Cl. Up. Ho."

Which was read here the first Time and ordered to lie on the Table.

The Petitions of sundry languishing Prisoners in the several Jails therein mentioned were read and granted; and on Motion, Ordered, That M.^r Beall, M.^r Thomas, and M.^r Chase, do prepare and bring in a Bill for the Relief of sundry languishing Prisoners in the several Jails therein mentioned.

M.^r T. Wright, M.^r Tolly, and M.^r Ridgely Son of John, have Leave of Absence till Monday Morning.

The House adjourns till 3 O'Clock.

Post Meridiem.

The House met, and adjourned till Monday Morning 9 O'Clock.

Monday, April 11, 1774.

L. H. J.
Liber 54
Apr. 11

The House met.

All Members present as on Saturday.

The Proceedings of Saturday were read.

M.^r Earle and M.^r T. Wright appear in the House.

M.^r Speaker laid before the House a Letter from the Speaker of the House of Representatives of new York, inclosing several Resolutions of that House. Which Letter and Resolutions are ordered to be entered on the Journal, and are as follow.

Sir

New-York, March 1,st 1774.

Your Letter of the 21.st December last, together with the Resolves of the Honourable House of Delegates of the Province of Maryland, which they entered into on the 15.th October last, inclosed, I laid before the General Assembly of this Colony at the opening of this present Session, who being sensible that they are of the utmost Importance to the Rights and Liberties of the American Colonies, came to the inclosed Resolutions, which they directed me to communicate to you, and to desire you will lay the same before your House of Delegates at their next Meeting.

To the Honourable Mathew
Tilghman, Esq Speaker of
the House of Delegates of
the Province of Maryland.

I am, Sir, your most humble
Servant,
John Cruger, Speaker.

Assembly Chamber, City of New-York 20.th January, 1774.

The House according to Order resolved itself into a Committee of the whole House, upon the Letters received from the Speakers of several of the Houses of Assembly on this Continent, inclosing the Resolutions entered into by them respectively. After some Time spent therein, M.^r Speaker resumed the Chair, and Col. Seaman reported from the Committee, that they had directed him to report to the House the following Resolutions, to wit.

Resolved, nemine contradicente, That it is the Opinion of this Committee, that a standing Committee of Correspondence and Enquiry be appointed, to consist of the following Persons, to wit, John Cruger, Esq Speaker, James De Lancey, James Jauncey, Jacob Walton, Benjamin Seaman, Isaac Wilkins, Frederick Philips, Daniel Kissam, Zebulon Seaman, John Rapalie, Simon Boerum, John DeHoyellis, and George Clinton, Esquires, or any seven of them, whose Business it shall be to obtain the most early and authentic Intelligence of all such Acts and Resolutions of the British Parliament, or Proceedings of Administration, as do or may relate to or effect the Liberties and Privileges of his Majesty's Subjects in the British Colonies in America, and to keep up and maintain a Correspondence and Communication with our Sister Colonies respecting

L. H. J. these important Considerations, and the Result of their Proceedings
 Liber 54 to lay before the House.
 Apr. 11

Resolved Also, nemine contradicente, That it is the Opinion of this Committee, that the Speaker of this House prepare Draughts of Letters to the Speakers of the Assemblies on the Continent of America, inclosing these Resolutions, and requesting them to lay the same before their respective Assemblies; and that he do return the Thanks of this House to the Burgesses of Virginia, for their early Attention to the Liberties of America. Which Resolutions having been read a second Time; Resolved, That this House doth agree with the Committee in the said Resolutions.

By Order of the General Assembly for the Colony of New-York,

Gerard Bancker; Assist. Clk.

On Motion, Ordered, That Leave be given to bring in a Bill for the Relief of the Poor in Talbot County; and that M.^r Chamberlaine, M.^r Thomas, and M.^r Lloyd, do prepare and bring in the same.

The House being informed, that M.^r Henry Steele, a Delegate returned for Dorchester County, was attending; Ordered, That M.^r J. Ennalls, and M.^r Thomas do go with that Gentleman to the Upper House to see him qualified. They return and acquaint M.^r Seaker they saw him qualified in the usual Manner. The Gentleman took his Seat in the House.

The House adjourns till 3 O'Clock.

Post Meridiem.

The House met.

M.^r Ridgely Son of John and M.^r Tolly appeared in the House.

M.^r Johnson brings in and delivers to M.^r Speaker a Bill, entitled, An Act for building a new Church in the City of Annapolis in Saint Anne's Parish. Which was read the first and second Time by an especial Order, and the Question was put, that the same do pass? Resolved in the Affirmative.

For the Affirmative.

Mess. ^{rs}	Bond,	Hammond,	Sim,
	Key,	Lyles,	Beall,
	Barnes,	Parran,	T. Wright,
	Reeder,	Smallwood,	Veazy,
	Maxwell,	Hawkins,	Hyland,
	Worthington,	Waters,	Gilpin,
	Johnson,	Ennalls,	Griffith,
	Chase,	Steele,	Beatty.
	J. Hall,	Lloyd,	
	Paca,	Thomas,	

For the Negative.

L. H. J.
Liber 54
Apr. 11

Mess. ^{rs}	Ringgold,	Deye,	Chaille,
	Weems,	Chamberlaine,	Holland,
	Ridgely,	Tyler,	Purnell,
	Tolly,	Earle	Robins,
	Ridgely Son of John,	Ward,	

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The said Bill was sent to the Upper House, with the Bill, entitled, An Act for building a Parish Church in All-Saints Parish in Calvert County, by M.^r Chase and M.^r Weems. p. 360

On Motion, Ordered, That Leave be given to bring in a Bill to prevent the erecting of Booths and Sale of Liquors on Holy Days; and that M.^r Chase, M.^r Paca, M.^r Thomas, M.^r Johnson, and M.^r J. Hall, do prepare and bring in the same.

On Motion the Question was put, that the following, to wit, Resolved, That for the future the Name of every Gentleman, who may make a Motion in the House, be inserted in the Entry that may be made in Consequence thereof, be entered as the Resolve of this House? Carried in the Negative.

For the Negative.

Mess. ^{rs}	Bond,	Smallwood,	So. Wright,
	Key,	Hawkins,	Veazy,
	Barnes,	Waters,	Hyland,
	Reeder,	J. Ennalls,	Gilpin,
	Maxwell,	Steele,	Ward,
	Ringgold,	Tolly,	Chaille,
	Worthington,	Chamberlaine,	Holland,
	Johnson,	Lloyd,	Purnell,
	Chase,	Thomas,	Robins,
	J. Hall,	Tyler,	Griffith,
	Paca,	Sim,	Beatty.
	Lyles,	Beall,	
	Parran,	T. Wright,	

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For the Affirmative.

Hammond,	Deye,	Earle.
Weems,	Ridgely Son of	
Ridgely,	John,	

[6]

M.^r Key brings in and delivers to M.^r Speaker a Bill, entitled, An Act for the Support of an Organist in King and Queen Parish in Saint Mary's County. Which was read the first and second Time by an especial Order, passed, and sent to the Upper House by M.^r Key and M.^r Bond.

L. H. J. On Motion, Resolved, That no new Claims be received against
 Liber 54 the Publick after Wednesday next, and that the Journal of Accounts
 Apr. 11 be closed on that Day.

The Bill, entitled, An Act to assess and levy on the taxable Inhabitants of All-Hallows Parish in Worcester County, a Quantity not exceeding Forty-five Thousand Pounds of Tobacco, for the Purpose of erecting a Chapel of Ease in the said Parish, was read the second Time and will pass.

M.^r Waters brings in and delivers to M.^r Speaker a Bill, entitled, An Act to empower the Justices of Somerset County, to levy on the taxable Inhabitants of that Part of Stepney Parish which lies in the said County, a Quantity of Tobacco for the Purposes therein mentioned. Which was read the first and second Time by an especial Order and will pass.

Benjamin Ogle, Esq from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act for building a new Church in the City of Annapolis in Saint Anne's Parish; and the Bill, entitled, An Act for the Support of an Organist in King and Queen Parish in Saint Mary's County; severally indorsed; "By the Upper House of Assembly, April 11, 1774: Read the first and second Time by an especial Order and will pass.

Signed by Order, James Brooks, Cl. Up. Ho."

Which were severally read Here and passed for ingrossing.

M.^r Chaille and M.^r Holland have Leave of Absence.

The House adjourns till To-morrow Morning 9 OClock.

Apr. 12
 P. 361

Tuesday, April 12, 1774.

The House met.

All Members present as on Yesterday.

The Proceedings of Yesterday were read.

M.^r Funk and M.^r Somervell appeared in the House.

The House being informed, that M.^r Thomas Bond Son of Thomas, M.^r Richard Dallam, and M.^r John Love, Three Delegates returned for Harford County, were attending, Ordered, That M.^r Ridgely and M.^r Deye do go with those Gentlemen to the Upper House to see them qualified. They return and acquaint M.^r Speaker they saw them qualified in the usual Manner. The Gentlemen took their Seats in the House.

The Bill, entitled, An Act empowering Leonard Hollyday to sell the Land therein mentioned, was read the second Time, passed, and sent to the Upper House with the Bill, entitled, An Act to assess and levy on the taxable Inhabitants of All-Hallows Parish in Worcester County, a Quantity not exceeding Forty-five Thousand Pounds

of Tobacco, for the Purpose of erecting a Chapel of Ease in the said Parish; and the Bill, entitled, An Act to empower the Justices of Somerset County, to levy on the taxable Inhabitants of that Part of Stepney Parish which lies in the said County, a Quantity of Tobacco for the Purposes therein mentioned; by M.^r Waters and M.^r Purnell.

L. H. J.
Liber 54
Apr. 12

M.^r Chase brings in and delivers to M.^r Speaker the following Report.

By the Committee appointed to enquire what Laws will expire at the Close of the Session.

Your Committee find, that an Act to empower the Justices of Charles County, to levy on the taxable Inhabitants of Port-Tobacco Parish in said County, a Sum not exceeding Two Pounds of Tobacco per Poll annually, for the Support of an Organist in said Parish, made at a Session of Assembly, begun and held at the City of Annapolis, the 22.^d Day of November, 1758; and one other Act to empower the Justices of Charles County, to levy on the taxable Inhabitants of Port-Tobacco Parish in said County, an additional Sum not exceeding Two Pounds of Tobacco per Poll annually, for the further Support of an Organist in said Parish, made at a Session of Assembly, begun and held at the City of Annapolis, the 4.th Day of October, 1763; will expire at the Close of this Session, if not continued.

Signed by Order, G. Duvall, Cl. Com.

Which was read. Ordered, That M.^r Smallwood and M.^r Hawkins do prepare and bring in a Bill to continue the Acts therein mentioned.

M.^r Beall brings in and delivers to M.^r Speaker a Bill, entitled, An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned.

Which was read the first Time and ordered to lie on the Table.

The Petition of Saint Paul's Parish in Baltimore County was read and granted, and Leave given to bring in a Bill pursuant to the Prayer thereof. Ordered, That M.^r Tolly, M.^r Ridgely Son of John, M.^r Paca, and M.^r Chase, do prepare and bring in the same.

M.^r Smallwood, and M.^r J. Ennalls have Leave of Absence.

John Beale Bordley, Esq from the Upper House delivers to M.^r Speaker a Petition of sundry Inhabitants of Harford County, for affixing the Court House and Prison near the Centre of the said County, thus indorsed; "By the Upper House of Assembly, April 12, 1774: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl. Up. Ho."

The Order of the Day, for taking into Consideration the Petition of St. Paul's Parish in Queen-Anne's and Talbot Counties, and the Counter Petition thereto, being read, Ordered, That M.^r Chamber-

L. H. J. laine, M.^r Steele, M.^r J. Hall, M.^r Ringgold, and M.^r Sim, be a Committee to enquire into and state the Facts mentioned in the said Petitions, and report the same to the House.

Liber 54
Apr. 12

On Progression in reading a second Time the Bill for the speedy Recovery of small Debts out of Court, the Question was put, Whether a Majority, or the whole Number of Freeholders mentioned in the Bill, be enabled to bring in their Determination or Award? Resolved, that a Majority be enabled.

For Majority.

Mess. ^{rs}	Key,	Hawkins,	Gilpin,
	Barnes,	Waters,	Purnell,
	Worthington,	Ridgely,	Robins,
	J. Hall,	Tolly,	Dallam,
	Hammond,	Deye,	Love,
	Lyles,	Ridgely Son of	Griffith,
	Somervell,	John,	Funk,
	Parran,	Beall,	Beatty.
	Weems,	Hyland,	[25]

For the whole.

Bond,	Ennalls,	Earle,
Reeder,	Steele,	T. Wright,
Maxwell,	Chamberlaine,	So. Wright,
Ringgold,	Lloyd,	Veazy,
Johnson,	Thomas,	Ward,
Chase,	Tyler,	Bond Son of
Paca,	Sim,	Thomas, [20]

William Hayward, Esq^r from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act to assess and levy on the taxable Inhabitants of All-Hollows Parish in Worcester County, a Quantity not exceeding Forty-five Thousand Pounds of Tobacco, for the Purpose of erecting a Chapel of Ease in the said Parish; the Bill, entitled, An Act to empower the Justices of Somerset County, to levy on the taxable Inhabitants of that Part of Stepney Parish which lies in the said County, a Quantity of Tobacco for the Purposes therein mentioned; severally indorsed; "By the Upper House of Assembly, April 12, 1774; Read the first and second Time by an especial Order and will pass.

Signed by Order James Brooks, Cl. Up. Ho."

Also the Bill, entitled, An Act for the building of a Parish Church in All Saint's Parish in Calvert County, thus indorsed; "By the Upper House of Assembly, April 11, 1774: Read the first Time and ordered to lie on the Table.

Signed by Order, James Brooks, Cl. Up. Ho.

By the Upper House of Assembly, April 12, 1774: Read the second Time and will pass.

L. H. J.
Liber 54
Apr. 12

Signed by Order, James Brooks, Cl. Up. Ho.

Which were severally read here and passed for ingrossing. And a Petition of Lazarus Pumphrey of Anne Arundel County, thus indorsed; "By the Upper House of Assembly, April 12, 1774; Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl. Up. Ho."

The House adjourns till 3 O'Clock.

Post Meridiem.

The House met.

M.^r Contee appeared in the House.

The Petition of Lazarus Pumphrey was read. Ordered, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House; and M.^r Worthington, M.^r Johnson, M.^r Chase, M.^r J. Hall, and M.^r Hammond, are appointed a Committee accordingly, and they have Power to send for Persons, Papers, and Records. p. 363

M.^r Tyler brings in and delivers to M.^r Speaker a Bill, entitled, An Act to preserve the Independence of the Members of the Lower House of Assembly. Which was read the first Time and ordered to lie on the Table.

The Bill, entitled, An Act for the speedy Recovery of small Debts out of Court, as read throughout; and the Question was put, that the said Bill do pass; Resolved in the Affirmative.

For the Affirmative.

Mess. ^{rs}	{	Bond,	Waters,	Earle,
		Key,	J. Ennalls,	So. Wright,
		Barnes,	Steele,	Veazy,
		Reeder,	Ridgely,	Hyland,
		Maxwell,	Tolly,	Gilpin,
		Ringgold,	Deye,	Ward,
		Worthington,	Ridgely Son of	Purnell,
		J. Hall,	John,	Robins,
		Hammond,	Chamberlaine,	Griffith,
		Lyles,	Thomas,	Funk,
		Somervell,	Tyler,	Beatty,
		Parran,	Sim,	Bond Son of Tho. ^s
		Weems,	Contee,	Dallam,
		Hawkins,	Beall,	Love,

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	For the Negative.		
Mess. ^{rs}	{	Johnson,	Paca,
		Chase,	T. Wright.

[4]

The said Bill was sent to the Upper House by M.^r J. Hall and M.^r Earle.

The Order of the Day, for taking into Consideration the Petition of sundry Inhabitants of St. Mary's, Charles, Calvert, and Prince-George's Counties, which was referred from the 21.st of March last to this Day, being read, the Question was put, that the said Petition be granted, so far as to unite the said Schools of Saint Mary's, Charles, and Prince-Georges? Resolved in the Affirmative. Ordered, that M.^r Bond, M.^r Key, M.^r Barnes, M.^r Reeder, M.^r Beall, M.^r Tyler, M.^r Sim, M.^r Contee, M.^r Hawkins, and M.^r Johnson, do prepare and bring in a Bill for that Purpose.

M.^r Reeder hath Leave of Absence.

The House adjourns till To-morrow Morning 9 O'Clock.

Apr. 13

Wednesday, April 13, 1774.

The House met.

All Members present as on Yesterday except M.^r Ennalls, M.^r Smallwood, and M.^r Reeder.

The Proceedings of Yesterday were read.

M.^r Hammond brings in and delivers to M.^r Speaker the following Report.

By the Committee appointed to enquire into the Facts set forth in the Petition of Lazarus Pumphrey.

Your Commitee, in Pursuance of the Order of the Honourable House, have enquired into the Facts contained in the said Petition, and do find them to be true.

Signed by Order, Benjamin Ford, Cl. Com.

Which was read. And the Petition of Lazarus Pumphrey was read and granted, and Leave given to the Petitioner to bring in a Bill pursuant to the Prayer thereof.

M.^r Robins brings in and delivers to M.^r Speaker a Bill, entitled, An Act to empower the Justices of Somerset and Worcester Counties, to levy on the taxable Inhabitants of Coventry Parish in said Counties, the Quantity of Thirty-two Thousand Pounds of Tobacco, for the Uses therein mentioned. Which was read the first Time and ordered to lie on the Table.

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On Motion, Ordered, That M.^r Ridgely, M.^r Deye, M.^r Tolly, M.^r Ridgely Son of John, M.^r J. Hall, M.^r Sim, and M.^r So.

L. H. J.
Liber 54
Apr. 13

Wright, be a Committee to enquire into the Expenditure of the Money granted for building a Court House and Prison in the Town of Baltimore in Baltimore County, and make Report thereof to the House.

The Order of the Day for taking into Consideration the Variation of the Compass, &c. being read the same is referred for Consideration till next Session of Assembly.

The Petition of sundry Inhabitants of Kent County, respecting the Variation of the Compass, was read the second Time, and the Question was put, tht the said Petition be now granted? Carried in the Negative.

For the Negative

Mess. ^{rs}	Bond,	Waters,	T. Wright,
	Key,	Ridgely,	So. Wright,
	Barnes,	Tolly,	Purnell,
	Worthington,	Deye,	Robins,
	Johnson,	Ridgely Son of	Griffith,
	Chase,	John,	Funk,
	J. Hall.	Chamberlaine,	Beatty,
	Hammond,	Thomas,	Bond Son of Tho.
	Lyles,	Tyler,	Dallam,
	Somervell,	Sim,	Love.
	Parran,	Contee,	
	Hawkins,	Beall,	[33]

For the Affirmative.

Mess. ^{rs}	Maxwell,	Steele,	Gilpin,
	Ringgold,	Earle,	Ward.
	Paca,	Veazy,	
	Weems,	Hyland,	[10]

Ordered, That the said Petition be referred till next Session of Assembly.

M.^r Waters brings in and delivers to M.^r Speaker a Bill, entitled, A Supplement to the Act to unite the Free-Schools of Somerset and Worcester Counties. Which was read the first and second Time by an especial Order and will pass.

The Bill, entitled, An Act empowering the Justices of Calvert County, to levy on the taxable Persons of Christ Church Parish in the said County, a Quantity of Tobacco therein mentioned, for the Purpose of finishing and compleating their Parish Church, was read the second Time and will pass.

The said two Bills were sent to the Upper House, with the ingrossed Bills, N.^o 7, 8, 9, and the Paper Bills thereof, by M.^r Robins and M.^r Somervell.

L. H. J. On Motion, Ordered, That Leave be given to bring in a Bill for
 Liber 54 the better amending and repairing the publick Roads in the several
 Apr. 13 Counties therein mentioned; and that M.^r Beall, M.^r Sim, M.^r Barnes,
 M.^r Gilpin, M.^r Key, M.^r Tyler, M.^r Weems, M.^r Hawkins, and M.^r
 Hammond, do prepare and bring in the same.

M.^r Beall brings in and delivers to M.^r Speaker a Bill, entitled,
 An Act to prevent certain Obstructions in the Eastern Branch of
 Patowmack River, and for other Purposes. Which was read the
 first Time and ordered to lie on the Table.

Philip Thomas Lee, Esq from the Upper House, delivers to M.^r
 Speaker a Petition of John Done, Sheriff of Worcester County;
 a Petition of Joseph Hayward of Baltimore County, against the
 Releasement of Matthew Mason; a Petition of sundry Inhabitants
 of Somerset and Worcester Counties, for laying out a Town, a
 Petition of Samuel Litton of Harford County; and a Petition of
 William Beck, a Prisoner in Prince Georges County Jail; severally
 p. 365 indorsed; "By the Upper House of Assembly, April 13, 1774: Read
 and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl. Up. Ho."

The House adjourns till 3 O'Clock.

Post Meridiem.

The House met.

M.^r Thomas hath Leave of Absence.

M.^r Griffith brings in and delivers to M.^r Speaker a Bill, entitled,
 An Act relating to the principal Roads in Anne-Arundel, Baltimore,
 and Frederick Counties. Which was read the first Time and ordered
 to lie on the Table.

M.^r Paca brings in and delivers to M.^r Speaker a Bill, entitled,
 An Act for the Enlargement of the Powers of the Corporation and
 Jurisdiction of the Mayor's Court in the City of Annapolis. Which
 was read the first Time and ordered to lie on the Table.

M.^r Chamberlaine brings in and delivers to M.^r Speaker the fol-
 lowing Report.

By the Committee appointed to examine and report the State of
 the Accounts relative to St. Paul's Parish Church in Queen Anne's
 County.

In Obedience to the Order of the Honourable House, your Com-
 mittee have looked into and examined the said Account, and such
 Vouchers as were to us produced; and do find, that there are
 Vouchers for most of the Articles of said Account, but that there
 are not Vouchers for some few Articles, by Reason of the Vestry
 Books of Queen Anne's County and Accounts from Sheriff of Tal-
 bot are not here; and that no Part of said Monies have been applied
 towards the Repair of Wye Chapel.

And your Committee beg Leave to lay said Account and Vouchers before the honourable House, in a Bundle herewith lodged.

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All which is submitted to the Consideration of the honourable House.

Signed by Order, Saint George Peale, Cl. Com.

Which was read. The Petitions respecting Saint Paul's Parish in Queen Anne's and Talbot Counties were severally read.

On Motion, Ordered, That the Clerk of the Council immediately lay before this House the levy Lists for Queen Anne's County, from the Year 1765 to 1773 inclusive.

Ordered, That the Serjeant at Arms attending this House do forthwith serve the Clerk of the Council with a Copy of the above Order.

William Hayward, Esq from the Upper House, delivers to M.^r Speaker the Paper Bills, N.^o 7, 8, 9, severally indorsed; "By the Upper House of Assembly, April 13, 1774: The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order, James Brooks, Cl. Up. Ho."

The Petition of sundry Inhabitants of Harford County, for affixing the Court House and Prison near the Centre of the said County, was read and referred till the second Monday in next Session of Assembly.

On Motion, Ordered, That Leave be given to bring in a Bill for suspending the Power of the Commissioners for building a Court House and Prison in Harford County; and that M.^r Bond Son of Thomas, M.^r Dallam M.^r Love, M.^r Paca, and M.^r J. Hall, do prepare and bring in the same.

The Petition of John Done was read and granted, so far as relates to the County Levy, Attornies and Deputy Commissaries Fees; and Leave given to bring in a Bill accordingly. p. 366

The Petition of sundry Inhabitants of Somerset and Worcester Counties, for laying out a Town, was read the first Time and ordered to lie on the Table.

The Petition of Samuel Litton was read. Ordered, That the same be referred to the Consideration of a Committee, and that they do examine the Matter thereof, and report the same as it shall appear to them to the House; and M.^r Bond, Son of Thomas, M.^r Dallam, M.^r Love, and M.^r Hammond, are appointed a Committee accordingly, and they have Power to send for Persons, Papers, and Records.

The Petition of Benjamin Canada Stoddert was read the second Time, and the House agree to allow upon the Journal of Accounts to the Petitioner the Sum of Fifty Pounds common Money, and to each of his Sisters the Sum of Twenty-five Pounds like Money.

L. H. J. The House agree to allow the Rev. M.^r Love the Sum of Ten
 Liber 54 Pounds, for reading Divine Service this Session.
 Apr. 13

The House adjourns till To-morrow Morning 9 O'Clock.

Apr. 14

Thursday, April 14, 1774

The House met—

All Members present as on Yesterday except M.^r Thomas.

The Proceedings of Yesterday were read.

M.^r Chamberlaine brings in and delivers to M.^r Speaker a Bill, entitled, An Act for the Relief of the Poor in Talbot County. Which was read the first Time and ordered to lie on the Table.

On Progression in reading a second Time the Bill relating to the principal Roads in Anne-Arundel, Baltimore and Frederick Counties the Question was put that personal Labour shall be performed for a limited Number of Days, by the taxable Inhabitants, towards opening, clearing, and amending the principal Roads mentioned in the Bill, in Assistance of the Money to be applied for that Purpose? Carried in the Negative. On further Progression in reading the Bill relating to the principal Roads in Ann Arundel Baltimore and Frederick Counties, the Question was put that the Supervisors be restrained from going with the Roads mentioned in the Bill, through Wheat-Fields, or Fields of Indian Corn, unless where such Roads already go through the same? Resolved in the Affirmative

For the Affirmative

Mess. ^{rs}	Bond,	Weems,	Earle,
	Worthington,	Waters,	T. Wright,
	Ringgold,	Ridgely,	Veazy,
	Chase,	Tolly,	Purnell,
	J. Hall,	Deye,	Robins,
	Paca,	Ridgely, Son Jn. ^o	Griffith,
	Hammond,	Tyler,	Bond Son Tho. ^s
	Lyles,	Sim,	Love.
	Somervell,	Contee,	
	Parran,	Beall,	[28]

For the Negative

Mess. ^{rs}	Key,	Steele,	Ward,
	Barnes,	Chamberlaine,	Funk,
	Maxwell,	So. Wright,	Beatty,
	Johnson,	Hyland,	Dallam.
	Hawkins,	Gilpin,	[14]

John Ridout Esq.^r from the Upper House, delivers to M.^r Speaker a Petition of sundry Inhabitants of Harford County, and a Petition of sundry Inhabitants of Baltimore County, to prevent Innoculation in the Town of Baltimore severally indorsed

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Apr. 14

"By the Upper House of Assembly, April 14.th 1774. p. 367

Read and referred to the Consideration of the Lower House of Assembly

Signed by Order James Brooks, Cl. Up. Ho"

William Hayward, Esq.^r from the Upper House, delivers to M.^r Speaker the Bill, entitled, a Supplement to the Act to unite the Free-Schools of Somerset and Worcester Counties, thus indorsed "By the Upper House of Assembly, April 14.th 1774: Read the first and second Time by an especial Order and will pass.

Signed by Order James Brooks, Cl. Up. Ho:"

Which was read here and passed for ingrossing
The House adjourns till 3 O'Clock

Post Meridiem

The House met.

The Petition of sundry Inhabitants of Harford County was read and referred for Consideration till the second Tuesday of next Session of Assembly

The Petition of sundry Inhabitants of Baltimore County, to prevent Innoculation in the Town of Baltimore, was read the first Time and ordered to lie on the Table

On further Progression in reading the Bill relating to the principal Roads in Ann Arundel, Baltimore and Frederick Counties, On Motion, the Question was put, that the following Question, to wit, that the Supervisors may carry the Roads mentioned in the Bill through any improved Ground (Orchards, Gardens and Yards excepted) on making Compensation to the Owner thereof? be now put; Resolved, That the main Question be now put. Then the main Question was put, and resolved in the Affirmative

For the Affirmative

Mess. ^{rs}	Bond,	Waters,	So. Wright,
	Key,	Steele,	Veazy,
	Barnes,	Tolly,	Hyland,
	Maxwell,	Ridgely Son Jn. ^o	Gilpin,
	Ringgold,	Chamberlaine,	Ward,
	Johnson,	Sim,	Funk,
	Chase,	Contee,	Beatty.
	Paca,	Beall,	Dallam
	Somervell,	Earle,	Love.
	Hawkins,	T. Wright,	

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For the Negative

Mess. ^{rs}	Worthington,	Weems,	Robins,
	J. Hall,	Ridgely,	Griffith,
	Hammond,	Deye,	Bond Son Thomas.
	Lyles,	Tyler,	
	Parran,	Purnell,	[13]

The said Bill was then read through and committed for Amendments

John Beale Bordley Esq.^r from the Upper House delivers to M.^r Speaker the Bill, entitled, An Act for the Relief of Insolvent Debtors thus indorsed "By the Upper House of Assembly April 8.th 1774 Read the first Time and ordered to lie on the Table

Signed by Order James Brooks, Cl: Up. Ho."

By the Upper House of Assembly April 14.th 1774 Read the second Time and will pass with the Amendments hereunto annexed.

Signed by Order James Brooks, Cl. Up. Ho"

After the Words "Court House Door" in the third Line of the fourth Sheet, add, "and other public Places." In the 10.th Line of the 4.th Page strike out from the Word Judgments to the Beginning of the 14.th Line in same Page, and insert the following Words, to wit, "if any, or any claiming or who shall or may claim under them, who have or shall have any Lien, by Assignment of such Judgment, or otherwise, shall pay in or towards Satisfaction of the said Creditors, according to the Order and Priority of their Judgments, or other Lien thereon." In the 16.th Line of the same Sheet, after the Word "Demands" add, "early Notice of such Design being previously given by Advertisements set up at the most public Places of the County where such Debtor resides, and likewise in the Maryland Gazette." After the Word "aforesaid" in the 18.th Line of the same Page, insert the following Proviso, Viz "Provided that no Judgment hereafter to be rendered against any Person applying to be discharged as aforesaid, nor any Process thereon, shall create any Lien on the Lands, Goods, or Chattels of such Person, whereby the Creditor obtaining such Judgment shall or may have any Priority in the Distribution of the Money arising from the Sale of such Lands, Goods or Chattels to be distributed as aforesaid." After the Word "Affirmation" in the 2.^d Line of the seventh Sheet, add, "and Transmission." In the 13.th Line of the same Sheet after the Word "Descent," add, "Gift, Devise, Bequest." After the Word "Discharge," in the 24.th Line of the 8.th Sheet, add the Words, "and the same Allegation being determined and adjudged against the said Obligor." Strike out the whole of the ninth Sheet after the Word "farthest" in the first Line, and insert the Words, "And the Justices of the County Court aforesaid shall and may hear and determine, in a summary

Way, such Allegation of the Creditor or Creditors aforesaid; and if the same shall be determined by the said Court against such Prisoner, then the same Prisoner shall have no Aid or Benefit of this Act, and Judgment shall pass against him or her for Costs; but if the Determination of the Justices of the County Court on such Allegation shall be against such Creditor or Creditors, then the Prisoner or Prisoners aforesaid shall by the said Court be immediately discharged, on his or her making, subscribing, and delivering, in open Court, such Schedule and Duplicate as aforesaid, and there taking such Oath or Affirmation as aforesaid; and all his or her Estate shall thereupon be invested in the Sheriff, sold and disposed of, and applied as if he or she had been discharged by the said three Justices or any Two of them: And it shall and may be lawful, for the said Justices of the County Court to ascertain and determine the Quantum of the Damage, if any, that the Prisoner hath sustained, by Reason of the false Allegation of such Creditor or Creditors, and thereupon adjudge the same with Costs to the Prisoner, provided such Damages and Costs shall not exceed the Penalty of such Bond." Strike out the last enacting Clause of the tenth Sheet, and the three first Lines in the Eleventh Sheet. Which Indorsement with the Amendments were read and ordered to lie on the Table.

L. H. J.
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Apr. 14

Benjamin Ogle Esq.^r from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act, empowering Leonard Hollyday to sell the Lands therein mentioned thus indorsed "By the Upper House of Assembly April 12.th 1774 Read the first Time and ordered to lie on the Table.

Signed by Order James Brooks, Cl. Up. Ho.

By the Upper House of Assembly April 14.th 1774. Read the second Time and will not pass.

Signed by Order James Brooks, Cl. Up. Ho."

And the Bill, entitled, An Act empowering the Justices of Calvert County, to levy on the taxable Persons of Christ Church Parish in the said County, the Quantity of Tobacco therein mentioned, for the Purpose of finishing and compleating their Parish Church, thus indorsed; "By the Upper House of Assembly, April 14, 1774, Read the first and second Time by an especial Order and will not pass.

Signed by Order James Brooks, Cl. Up. Ho."

The Bill, entitled, An Act for the Relief of the Poor in Talbot County, was read the second Time by an especial Order and will pass.

M.^r Bond Son of Thomas brings in and delivers to M.^r Speaker a Bill, entitled, An Act for suspending the Power of the Commissioners for building a Court House and Prison in Harford County

Which was read the first and second Time by an especial Order and will pass

L. H. J. M.^r Dallam brings in and delivers to M.^r Speaker the following
 Liber 54 Report By the Committee appointed to enquire into the Truth of the
 Apr. 14 ffacts set forth in the Pet.^s of Samuel Litten

Your Committee in Consequence of the Order of the Honourable House, have examined into the ffacts alleged in the said Petition, and do find them true

Signed by Order G Duvall Cl.

Which was read; and the Petition of Samuel Litton was read and referred till To Morrow Morning

The House adjourns till To Morrow Morning 9 O'Clock

Apr. 15
 p. 369

Friday April 15:th 1774

The House met.

All Members present as on Yesterday except M.^r Lloyd. The Proceedings of Yesterday were read.

The Petition of Saint Paul's Parish in Queen Anne's and Talbot Counties is referred till the second Thursday of next Session of Assembly

The Bill, entitled, An Act for the Relief of the Poor in Talbot County; and the Bill, entitled, An Act for suspending the Power of the Commissioners for building a Court House and Prison in Harford County; were sent to the Upper House, with the ingrossed Bills, N.^o 10, 11, 12, and the Paper Bills thereof by M.^r Chamberlaine and M.^r Bond of Saint Mary's.

The Bill, entitled, An Act empowering John Done, Sheriff of Worcester County, to execute for the Public Levy, Deputy Commissary's and Attorneys Fees, was read the first and second Time by an especial Order, passed, and sent to the Upper House by M.^r Purnell and M.^r Love

The Bill, entitled, An Act confirming the Title of Lazarus Pumphry to the Land therein mentioned, was read the first and second Time by an especial Order and will pass

M.^r Hammond brings in and delivers to M.^r Speaker a Bill, entitled, An Act to regulate the Payment of Attornies Fees. Which was read the first Time and ordered to lie on the Table.

M.^r Sim brings in and delivers to M.^r Speaker a Bill, entitled, An Act to unite the Free Schools of St. Mary's, Charles, and Prince George's Counties. Which was read the first and second Time by an especial Order and will pass.

The Bill, entitled, An Act for King William's School in Annapolis, was read the second Time, passed, and sent to the Upper House, with the Bill, entitled, An Act to unite the Free-Schools of St Mary's, Charles, and Prince-George's Counties, and the Bill, entitled, An Act confirming the Title of Lazarus Pumphrey to the Land therein mentioned, by M.^r Sim and M.^r Hawkins.

The Bill, entitled, An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned, was read the second Time and will pass. L. H. J.
Liber 54
Apr. 15

George Steuart Esq from the Upper House delivers to M.^r Speaker the Bill entitled, An Act for the Relief of the Poor in Talbot County; The Bill, entitled, An Act to unite the Free-Schools of St. Mary's, Charles, and Prince George's Counties, The Bill, entitled, An Act for suspending the Power of the Commissioners for building a Court House and Prison in Harford County, and the Bill, entitled, An Act confirming the Title of Lazarus Pumphrey to the Land therein mentioned; severally indorsed; "By the Upper House of Assembly, April 15, 1774: Read the first and second Time by an especial Order and will pass.

Signed by Order, James Brooks, Cl. Up. Ho."

Which were severally read here and passed for ingrossing.

M.^r Beall, M.^r Funk, and M.^r Hawkins, have Leave of Absence.

M.^r Aquila Hall appeared in the House.

The House adjourns till 3 O'Clock.

Post Meridiem

The House met.

On Motion, Ordered, That Leave be given to bring in a Bill, entitled, A Supplementary Act to the Act, entitled, An Act to prevent the injuring Harbours within this Province, and for repealing the Act therein mentioned; and that M.^r So. Wright, M.^r Ringgold, and M.^r J. Hall, do prepare and bring in the same.

M.^r Chamberlaine brings in and delivers to M.^r Speaker a Bill, entitled, An Act relating to Criminals. Which was read the first Time and ordered to lie on the Table.

M.^r So. Wright brings in and delivers to M.^r Speaker a Bill, p. 370
entitled, A Supplementary Act to the Act, entitled, An Act to prevent the injuring Harbours within this Province, and for the repealing the Act therein mentioned. Which was read the first and second Time by an especial Order and will pass.

The Petition of the Inhabitants of Somerset and Worcester Counties, for laying out a Town, was read the second Time and referred to the Consideration of the next Session of Assembly.

The Bill entitled, An Act to prevent certain Obstructions in the Eastern Branch of Potowmack River, and for other Purposes, is referred to the Consideration of the next Session of Assembly.

The Bill, entitled, An Act to empower the Justices of Somerset and Worcester Counties, to levy on the Taxable Inhabitants of Coventry Parish in said Counties the Quantity of Thirty two Thousand

L. H. J. Pounds of Tobacco, for the Uses therein mentioned, was read the
 Liber 54 second Time and will pass.
 Apr. 15

John Ridout, Esq from the Upper House, delivers to M.^r Speaker, a Bill, entitled, An Act concerning Prisoners in certain Cases, thus indorsed; “By the Upper House of Assembly April 15, 1774: Read the first and second Time by an especial Order and will pass.

Signed by Order, James Brooks, Cl. Up. Ho.”

Which was read here the first Time and ordered to lie on the Table.

And a Petition of the Justices of Kent County thus indorsed; “By the Upper House of Assembly, April 15, 1774: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl. Up. Ho.”

Which was read and rejected.

The Bill, entitled, An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned; the Bill, entitled, An Act to empower the Justices of Somerset and Worcester Counties, to levy on the taxable Inhabitants of Coventry Parish in said Counties, the Quantity of Thirty-two Thousand Pounds of Tobacco, for the Uses therein mentioned; and the Bill, entitled, a Supplementary Act to the Act, entitled, An Act to prevent the injuring Harbours within this Province, and for the repealing the Act therein mentioned; were sent to the Upper House by M.^r So. Wright and M.^r Robins.

The Bill, entitled, An Act for the Enlargement of the Powers of the Corporation and Jurisdiction of the Mayor's Court in the City of Annapolis, was read the second Time, passed, and sent to the Upper House by M.^r Paca and M.^r Hammond.

Philip Thomas Lee, Esq from the Upper House, delivers to M.^r Speaker the Paper Bills, N.^o 10, 11, 12, severally indorsed; “By the Upper House of Assembly, April 15, 1774: The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order, James Brooks, Cl. Up. Ho.”

p. 371 and a Paper Bill, entitled, An Act for King William's School in Annapolis, thus indorsed, “By the Upper House of Assembly, April 18, 1774: Read and passed for ingrossing.

Signed by Order, James Brooks, Cl. Up. Ho.”

with the ingrossed Bill thereof, thus indorsed, “By the Upper House of Assembly, 15, 1774: Read and assented to.

Signed by Order, James Brooks, Cl. Up. Ho.”

Which said ingrossed Bill was read here and assented to.

The Petition of sundry Inhabitants of Baltimore County, to pre-

vent Inoculation in the Town of Baltimore, is referred to the Consideration of the next Session of Assembly.

L. H. J.
Liber 54
Apr. 15

The Committee of Accounts laid before the House the following Account.

1774.	The Province of Maryland to James Brooks	D. ^r
To making out and transmitting 15 Proclamations to call the Assembly at 30 lbs Tobacco each.....		450
To making out a Proclamation to prorogue the Assembly, from Monday the 21. st of March to Tuesday the 22. ^d of the same Month		30
To making out a Proclamation to prorogue the Assembly, from Tuesday the 22. ^d of March to Wednesday the 23. ^d Day of the same Month.....		30
		<hr/> 510
11. th of April, 1774.	Errors excepted.	

per James Brooks, Cl. Con.

Which was read. On Motion, ordered, That the Message from the Upper House by Benjamin Ogle, Esq of the 22.^d December last, be read, and it was read accordingly,

Whereupon the Account of James Brooks was unanimously rejected.

The Bill, entitled, An Act to preserve the Independence of the Members of the Lower House of Assembly of this Province was read the second Time, and the Question was put that the said Bill do pass? Resolved in the Affirmative.

For the Affirmative.

Mess. ^{rs}	Bond,	Waters,	Ward,
	Maxwell,	Ridgely,	Purnell,
	Ringgold,	Tolly,	Robins,
	Worthington,	Deye,	Griffith,
	J. Hall,	Ridgely Son of	Funk,
	Hammond,	John,	Bond, son of Tho.
	Lyles,	Tyler,	Dallam,
	Parran,	Earle,	Love,
	Weems,	Gilpin,	Aq. Hall, [26]

For the Negative.

Mess. ^{rs}	Barnes,	Steele,	So. Wright,
	Johnson,	Chamberlaine,	Hyland,
	Chase,	Sim,	Beatty.
	Paca,	Contee,	
	Somervell,	T. Wright,	[13]

The House adjourns till To-morrow Morning 9 O'Clock.

L. H. J.
Liber 54
Apr. 16

Saturday, April 16, 1774.

The House met.

All Members present as on Yesterday except M.^r Beall and M.^r Hawkins, who had Leave of Absence, and M.^r Lloyd and M.^r Paca, who had not Leave.

The Proceedings of Yesterday were read.

On reading a second Time the Application of Charles Wilson Peale, of the City of Annapolis, Limner; This House accept of a very genteel Present of the Portrait of the Earl of Chatham, offered the legislative Body of this Province: And thereupon do appoint the Honourable Speaker and the Representatives of Anne-Arundel
p. 372 County and of the City of Annapolis to receive and take Care of the same, and to direct any Alterations they may think proper to be made in said Portrait: And, as a Compliment to M.^r Peale, request his Acceptance of the Sum of One Hundred Pounds Common Money.

M.^r Chamberlaine brings in and delivers to M.^r Speaker the Journal of Accounts. Which was read and assented to, and sent to the Upper House by M.^r Chamberlaine and M.^r Sim.

The Bill, entitled, An Act to preserve the Independence of the Members of the Lower House of Assembly of this Province, and the ingrossed Bills, N.^o 13, 14, 16, and the Paper Bills thereof. with the Paper Bill, N.^o 15, were sent to the Upper House by M.^r Tyler and M.^r Hammond.

On Motion, the Question was put, that the Bill, entitled, An Act relating to the publick Roads in Anne-Arundel, Baltimore, and Frederick Counties, be referred to the next Session of Assembly? Carried in the Negative

For the Negative.

Mess. ^{rs}	{ Key,	Tolly,	Hyland,
	{ Barnes,	Deye,	Gilpin,
	{ Maxwell,	Ridgely Son of	Ward,
	{ Ringgold,	John,	Funk,
	{ Johnson,	Sim,	Beatty,
	{ Chase,	Contee,	Aq. Hall,
	{ Somervell,	Earle,	Dallam.
	{ Steele	T. Wright,	
	{ Ridgely,	So. Wright,	[24]

For the Affirmative

Mess. ^{rs}	{ Bond,	Parran,	Robins,
	{ Worthington,	Waters,	Griffith
	{ J. Hall,	Chamberlaine,	Bond Son of Tho. ^s
	{ Hammond,	Tyler	
	{ Lyles,	Purnell,	[13]

Daniel of Saint Thomas Jenifer, Esq from the Upper House, delivers to M.^r Speaker the Bill, entitled, A supplementary Act to the Act, entitled, An Act to prevent the injuring Harbours within this Province, and for repealing the Act therein mentioned; the Bill, entitled, An Act to empower the Justices of Somerset and Worcester Counties, to levy on the taxable Inhabitants of Coventry Parish in said Counties, the Quantity of Thirty-two Thousand Pounds of Tobacco, for the Uses therein mentioned; and the Bill, entitled, An Act empowering John Done, Sheriff of Worcester County to execute for the Publick Levy, Deputy Commissary's and Attornies Fees; severally indorsed; By the Upper House of Assembly, April 16, 1774: Read the first and second Time by an especial Order and will pass.

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Signed by Order, James Brooks, Cl. Up. Ho."

Which were severally read here and passed for ingrossing.

On Progression in reading the Bill, entitled, An Act relating to the publick Roads in Anne-Arundel, Baltimore, and Frederick Counties, the Question was put, that where a Jury shall be called in to value the Damage done to improved Lands, they shall first determine whether the Road shall be carried through such improved Lands at all or not? Carried in the Negative.

For the Negative.

Mess. ^{rs}	{ Key,	Ridgely Son of	Hyland,
	{ Barnes,	John	Gilpin,
	{ Maxwell,	Chamberlaine,	Ward,
	{ Johnson,	Sim,	Funk
	{ Chase,	Contee,	Beatty,
	{ Somervell,	Earle,	Aq. Hall,
	{ Steele,	T. Wright,	Dallam.
	{ Tolly,	So. Wright,	[22]

For the Affirmative.

Bond,	Hammond,	Purnell,
Ringgold,	Ridgely,	Robins,
Worthington,	Deye,	Griffith,
J. Hall,	Tyler,	Bond Son of Tho. ^s
		[12]

The Bill was then read throughout, and the Question was put, that the said Bill do pass? Resolved in the Affirmative. p. 373

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For the Affirmative.

Mess. ^{rs}	Key,	Tolly,	So. Wright,	
	Barnes,	Ridgely Son of	Hyland,	
	Maxwell,	John,	Gilpin,	
	Ringgold,	Chamberlaine,	Ward,	
	Johnson,	Sim,	Funk,	
	Chase,	Contee,	Beatty,	
	Somervell,	Earle,	Aq. Hall,	
	Steele,	T. Wright,	Dallam.	[23]

For the Negative.

Mess. ^{rs}	Bond,	Ridgely,	Robins,	
	Worthington,	Deye,	Griffith,	
	J. Hall,	Tyler,	Bond Son of Th. ^o ,	
	Hammond,	Purnell,		[11]

George Steuart, Esq from the Upper House, delivers to M.^r Speaker the Paper Bills, N.^o 13, 14, 16, severally indorsed; “By the Upper House of Assembly, April 16, 1774: The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order, James Brooks, Cl. Up. Ho.”

M.^r Ringgold, M.^r Bond of St Mary’s, and M.^r Griffith, have Leave of Absence.

The House adjourns till 3 O’Clock.

Post Meridiem.

The House met.

The Bill, entitled, An Act relating to the publick Roads in Anne-Arundel, Baltimore, and Frederick Counties was sent to the Upper House, with the ingrossed Bills, N.^o 17, 18, and the Paper Bills thereof, by M.^r Johnson and M.^r Chase.

Philip Thomas Lee, Esq from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act relating to the publick Roads in Anne-Arundel, Baltimore, and Frederick Counties, thus indorsed; “By the Upper House of Assembly, April 16, 1774: Read the first and second Time by an especial Order and will pass.

Signed by Order, James Brooks, Cl. Up. Ho.”

Which was read here and passed for ingrossing.

The Amendments proposed by the Upper House to the Bill, entitled, An Act for the Relief of insolvent Debtors, were read the second Time and rejected.

William Hayward, Esq from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act to preserve the Independence of the Members of the Lower House of Assembly of this Province, thus

indorsed; "By the Upper House of Assembly, April 16, 1774: Read the first and second Time by an especial Order and will pass with the Amendments annexed. L. H. J.
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Signed by Order, James Brooks, Cl. Up. Ho."

The Word "or" after the Word "Representative," in the second Page, to be struck out, and the Word, "and" to be inserted; and at the End of the Bill add as follows viz. "And be it enacted, by the Authority aforesaid, That every Person who hereafter be elected or chosen to serve in the General Assembly of this Province as a Delegate or Deputy, shall, at the Time of his taking the Oaths to the Government; and repeating and subscribing the Test, take also the following Oath, to wit, "I, A. B. do solemnly swear, that I have made Use of no Means, directly or indirectly, to deceive any Elector in Order, or with the Intent or Design to obtain or procure his Vote, either for myself or any other Person, and that whilst I shall serve as a Delegate or Deputy in the General Assembly of this Province, I will truly and faithfully, upon all Occasions, consent and agree to the passing, ordaining, and enacting, of all such Resolves, Regulations, and Laws, as I shall believe in my Conscience to be just, and conducive to the Peace, real Welfare and Prosperity of this Province, without any other Regard or View whatsoever; and that I will oppose and dissent from all Resolves, Regulations and Laws, which shall be proposed by any Person, and which I shall in my Conscience believe to be unjust, or not conducive to the Peace, real Welfare and Prosperity of this Province; and that I will not, in any Manner, directly or indirectly, misrepresent my own Conduct or Views as a Delegate or Deputy, or the Conduct or Views of any other Delegate or Deputy in the General Assembly, in Order to gain the Vote of any Elector for myself or any other Person, or to persuade or incline any Elector not to give his Vote for any Person who shall or may be a Candidate at any Election." And be it enacted, That no Person who hath held or enjoyed any Office of Profit in this Province, or who hath, by himself or any other Person, with his Privity and Consent, applied for his Appointment to any such Office, though the said Application failed of Effect, shall hereafter, for the Term of Seven Years, be capable to be or eligible as a Delegate or Deputy to serve in the General Assembly of this Province; and in Case any Person who hath held or enjoyed any such Office, or hath applied for the same as aforesaid shall be elected and returned as a Delegate or Deputy to serve in the General Assembly aforesaid, and shall not give Notice of his said Incapacity to the House of Representatives, after his Election, and before his taking the Oaths to the Government, repeating and subscribing the Test, and taking the Oath aforesaid, such Person shall forfeit and pay the Sum of One Thousand Pounds Sterling to be recovered and applied as aforesaid, and be incapacitated and rendered incapable thereafter of serving his Country in the Capacity of a Representative, and also of holding or en-

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L. H. J. joying any Post of Honour, Profit, or Trust, within this Province,
 Liber 54 any Law, Usage, or Custom, to the Contrary notwithstanding. And
 Apr. 16 be it enacted, That after the End of this Present Session of Assembly no Counsellor, Delegate or Burgess of Assembly, shall have or receive any Allowance for Attendance in Assembly or for itinerant Charges, any Thing in any former Act of Assembly to the Contrary notwithstanding. This Act to continue for and during the Term of fourteen Years, and until the End of the next Session of Assembly which shall happen thereafter." Which Indorsement and Amendments were read and ordered to lie on the Table. And a Petition of Captain Robert Campbell, thus indorsed; "By the Upper House of Assembly, April 16,th 1774. Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order, James Brooks, Cl. Up. Ho."

p. 375 Which was read here and rejected.

Daniel of S.^t Thomas Jenifer, Esq from the Upper House of Assembly, delivers to M.^r Speaker the Paper Bills N.^o 17, 18, severally indorsed; "By the Upper House of Assembly April 16,th 1774: The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order, James Brooks, Cl. Up. Ho."

And the Bill, entitled, An Act for the Relief of certain languishing Prisoners in the several Jails therein mentioned thus indorsed; "By the Upper House of Assembly, April 16,th 1774: Read the first and second Time by an especial Order and will pass with the following Amendment, viz. "Strike out Charles Homewood.

Signed by Order, James Brooks, Cl. Up. Ho."

Which Amendment was read and agreed to and the Bill passed for ingrossing.

The Bill, entitled, An Act relating to Criminals in certain Cases, was read the second Time and will not pass.

The House adjourns till Monday Morning 9 OClock.

Apr. 18

Monday, April 18, 1774.

The House met.

All Members present as on Saturday except M.^r Contee and M.^r Weems, who left the House without Leave.

The Proceedings of Saturday were read.

M.^r Lloyd appeared in the House.

M.^r Robins brings in and delivers to M.^r Speaker a Bill, entitled, An Act requiring the Justices of Somerset County to appoint Persons to lay out a Road in said County.

Which was read the first and second Time by an especial Order, passed, and sent to the Upper House, with the ingrossed Bills,

N.^o 19, 20, 21, 22, and the Paper Bills thereof by M.^r Robins and M.^r Purnell.

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The Bill, entitled, An Act relating to Criminals was read the second Time, passed, and sent to the Upper House, with the Bill, entitled, An Act relating to Criminals in certain Cases, by M.^r Steele and M.^r Dallam.

On reading a second Time the Bill, entitled, An Act to regulate the Payment of Attornies Fees, the Question was put, that the following Clause to wit, "And be it further enacted, That if any Attorney, or other Person practising the Law in any of the Courts of this Province, shall deliver or send out his List of Fees to the Sheriff of any County for collecting the same, before the several Actions on which such Fees are charged be prosecuted or defended to final Judgment, Agreement, or other End thereof, such Attorney, or other Person practising the Law as aforesaid, shall for every such Offence, forfeit and pay the Sum of twenty Pounds Current Money, one half thereof to the Use of the County where the Offence shall be committed, to defray the publick Charge thereof, the other half to the Informer to be recovered by Action of Debt, Information or Bill of Indictment, any Thing herein to the Contrary notwithstanding. be inserted in the Bill? Carried in the Negative.

For the Negative.

Mess. ^{rs}	Key,	Steele,	Gilpin,
	Barnes,	Tolley,	Ward,
	Maxwell,	Chamberlaine,	Purnell,
	Johnson,	Lloyd,	Robins,
	Chase,	Tyler,	Beatty,
	J. Hall,	T. Wright,	Aq. Hall,
	Parran,	So. Wright,	Dallam,
	Waters,	Veazy,	[23]

For the Affirmative.

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Mess. ^{rs}	Worthington,	Ridgely,	Earle,
	Hammond,	Deye,	Hyland,
	Lyles,	Ridgely Son of	Bond Son of Tho.
	Somervell,	John,	Love. [11]

The Question was then put, that the said Bill do pass? Resolved in the Affirmative; and sent to the Upper House by M.^r Earle and M.^r Bond Son of Thomas.

On Motion, Ordered, That Leave be given to bring in a Bill for regulating the Gauging of Casks in the Town of Baltimore: and that M.^r Ridgely, M.^r Tolley, M.^r Deye, M.^r Ridgely Son of John, and M.^r Chase, do prepare and bring in the same.

The House adjourns till 3 O'Clock.

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Post Meridiem.

The House met.

John Ridout, Esq from the Upper House, delivers to M.^r Speaker the Journal of Accounts thus indorsed; “By the Upper House of Assembly, April 18,th 1774: Read and assented to.

Signed by Order, James Brooks Cl. Up. Ho.”

On Motion, Ordered, That Leave be given to bring in a Bill for Payment of the publick Creditors; and that M.^r Chase, M.^r Chamberlaine, M.^r J. Hall, M.^r T. Wright, and M.^r Sim, do prepare and bring in the same.

M.^r Tolly brings in and delivers to M.^r Speaker a Bill, entitled, An Act for regulating the Gauging of Casks in the Town of Baltimore. Which was read the first and second Time by an especial Order, passed, and sent to the Upper House by M.^r Tolly and M.^r Ridgely Son of John.

M.^r T. Wright brings in and delivers to M.^r Speaker a Bill, entitled, An Act for Payment of the publick Creditors. Which was read the first and second Time by an especial Order, passed, and sent to the Upper House by M.^r T. Wright and M.^r Aq. Hall.

Daniel of St. Thomas Jenifer, Esq from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act requiring the Justices of Somerset County to appoint Persons to lay out a Road in said County, thus indorsed; “By the Upper House of Assembly, April 18,th 1774: Read the first and second Time by an especial Order and will pass.

Signed by Order, James Brooks, Cl. Up. Ho.”

Which was read here and passed for ingrossing.

On Motion, Resolved, That Thirty-four Members of the Lower House of Assembly, including the Speaker, shall in future be necessary to compose a House.

The Petition of Samuel Litton is referred till next Session of Assembly.

George Steuart, Esq from the Upper House, delivers to M.^r Speaker the paper Bills, N.^o 19, 20, 21, 22, severally indorsed; “By the Upper House of Assembly, April 18,th 1774: The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order, James Brooks, Cl. Up. Ho.”

The Amendments proposed by the Upper House to the Bill to preserve the Independence of the Members of the Lower House of Assembly of this Province were read the second Time, and the Question was put, that the said Bill and Amendments be referred? Resolved in the Affirmative.

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For the Affirmative.

Mess. ^{rs}	Key,	Tolly,	Gilpin,
	Maxwell,	Chamberlaine,	Ward,
	Worthington,	Lloyd,	Purnell,
	Johnson,	Earle,	Robins,
	J. Hall,	T. Wright,	Bond Son of Tho.*
	Lyles,	So. Wright,	Dallam.
	Parran,	Veazy,	
	Waters,	Hyland,	[22]

For the Negative

Mess. ^{rs}	Barnes,	Ridgely,	Sim,
	Chase,	Deye,	Beatty,
	Hammond,	Ridgely Son of	Aq. Hall,
	Somervell,	John,	Love.
	Steele,	Tyler,	[13]

Then the Question was put, that the same be referred to the second Tuesday in July next? Resolved in the Affirmative.

For the Affirmative.

Mess. ^{rs}	Key,	Chamberlaine,	Ward,
	Barnes,	Lloyd,	Purnell,
	Maxwell,	Sim,	Robins,
	Johnson,	Earle,	Beatty,
	Lyles,	T. Wright,	Aq. Hall,
	Parran,	So. Wright,	Bond Son o Tho.
	Waters,	Veazy,	Dallam
	Steele,	Hyland,	
	Tolly,	Gilpin,	[25]

For the Negative.

Mess. ^{rs}	Worthington,	Somervell,	Tyler,
	Chase,	Ridgely	Love.
	J. Hall,	Deye,	
	Hammond,	Ridgely Son of John	[10]

The House adjourns till To-morrow Morning 9 O'Clock.

Tuesday, April 19,th 1774.

Apr. 19

The House met.

All Members present as on Yesterday.

The Proceedings of Yesterday were read.

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Benedict Calvert, Esq.^r from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act for regulating the gauging of Casks in the Town of Baltimore; and the Bill entitled, An Act for Payment of the Public Creditors; severally indorsed; “By the Upper House of Assembly, April 19,th 1774 Read the first and second Time by an especial Order and will pass

Signed by Order James Brooks Cl Upp. Ho.”

Which were severally read here and passed for ingrossing

On Motion, the Question was put, that the following, to wit, “That no Petition for the Opening a new Road, or altering the Course or Direction of any old One, be received by the House, without previous Notice of three Months being given to the Inhabitants of the District through which such new Road is to run, or in which such Alteration is to be made, and the Intention of offering such Petition to the House; and unless a Plat or Survey of the said new Road or Alteration be made, showing the Course and Direction of the same, and how the Lands of Individuals residing within the said Districts may be affected hereby, and Estimates of the Cost and Expence be at the same Time delivered into the House with such Petition.” be entered as the Resolve of this House? Carried in the Negative.

For the Negative

Mess. ^{rs}	Key,	Steele,	Hyland,
	Barnes,	Tolly,	Gilpin,
	Maxwell,	Ridgely, Son Jn. ^o	Ward,
	Worthington,	Chamberlaine,	Purnell,
	Johnson,	Lloyd,	Robins,
	Chase,	Sim,	Beatty,
	J. Hall,	Earle,	Aq. Hall,
	Lyles,	T. Wright,	Bond, Son Tho. ^s
	Somervell,	So. Wright,	Dallam,
	Waters,	Veazy,	Love. [30]

For the Affirmative

Mess. ^{rs}	Hammond,	Deye,	[4]
	Ridgely,	Tyler.	

On Motion, Ordered, That the following be entered as the Resolve of this House; “Resolved, that for the future, no Petition for laying out a new Road, or altering an old one, shall be granted by this House, unless the Intention of preferring such Petition be advertised One Month, before offering such Petition to any Person to be signed, at all Public Places through which such Road is intended; in which

Advertisement the Direction and Extent of such Road, intended to be laid out or altered, shall with convenient Certainty be expressed."

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John Ridout Esq.^{re} from the Upper House, delivers to M.^r Speaker a Petition of Captain Robert Campbell, thus indorsed; "By the Upper House of Assembly April 19.th 1774: Read and referred to the Consideration of the Lower House of Assembly.

Signed by Order John Brooks Cl. Up. Ho."

Which was read here the first and second Time and rejected.

Daniel of S.^t Thomas Jenifer, Esq.^{re} from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act relating to Criminals; the Bill, entitled, An Act for the Enlargement of the Powers of the Corporation and Jurisdiction of the Mayor's Court of the City of Annapolis; the Bill, entitled, An Act to regulate the Payment of Attorneys Fees; the Bill, entitled, An Act concerning Provincial Grand Jurors; the Bill, entitled, An Act relating to the Office of Chancellor; the Bill, entitled, An Act for more effectually preventing the Buying and selling of Offices; and the Bill, entitled, An Act for the speedy Recovery of small Debts out of Court; severally indorsed; "By the Upper House of Assembly, April 19.th 1774: Read the first and second Time by an especial Order and will not pass

Signed by Order, James Brooks, Cl. Up. Ho."

M.^r Chase brings in and delivers to M.^r Speaker a Bill, entitled, An Act to prevent the erecting of Booths and Sale of Liquors on Holy Days. Which was read the first and second Time by an especial Order, passed, and sent to the Upper House by M.^r Key and M.^r Beatty.

Ordered, That the Bill for the Relief of Jeremiah Crabb be referred till the next Session of Assembly.

M.^r Gilpin brings in and delivers to M.^r Speaker the following Report

Maryland s.st

At a Committee of both Houses of Assembly, appointed to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit, established by Act of Assembly,

Were Present

The { Benedict Calvert Esq.^{re} and
Honble { Dan.^l of S.^t Tho.^s Jenifer, Esq.^{re} } of the Upper House;

M.^r Bond,
M.^r Parran,
M.^r Hawkins, } of the Lower House;
M.^r Gilpin,
M.^r Contee, }

L. H. J. Who make Choice of, and appoint the Honourable Benedict Cal-
 Liber 54 vert Esq.^r Chairman, and John Courts Jones their Clerk, and agree
 Apr. 19 to make the following Report Viz.^t

Your Committee make Report to your Honours, that they have, since their Meeting, counted and burnt torn and defaced Bills to the Amount of two thousand seven hundred and twenty five Dollars and Nine Eighteenths of a Dollar. And that by Reason of a Multiplicity of Business now transacting in said Office, and the Want of Time, your Committee have not been able this Session to examine the Accounts of said Office from the Time of the last Report delivered to the Honourable Houses

Bened.^t Calvert
 Dan. of S.^t Tho. Jenifer
 Jos. Gilpin
 Rich.^d Parran

Which was read and ordered to be entered.

The Petition of Henry Gassaway was read and granted, and Leave given to bring in a Bill pursuant to the Prayer thereof.

The same was brought in, passed, and sent to the Upper House by M.^r Tyler and M.^r Maxwell

p. 379 Philip Thomas Lee, Esq.^{re} from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act to prevent the erecting of Booths and Sale of Liquors on Holy Days, thus indorsed; “By the Upper House of Assembly, April 19,th 1774: Read the first and second Time by an especial Order and will pass.

Signed by Order, James Brooks, Cl. Up. Ho.”

Which was read here and passed for ingrossing.

The House proceeds to tax the following private Bills Viz.^t

An Act for the Relief of Benjamin Harris of Frederick County.

To the Honble Speaker.....	£2..0..0
To the Clerk.....	1..0..0

An Act confirming the Title of Lazarus Pumphy to the Land therein mentioned

To the Honble Speaker.....	2..0..0
To the Clerk.....	1..0..0

An Act empowering John Done, Sheriff of Worcester County, to execute for the public Levy, Deputy Commissary's and Attorneys Fees.

To the Honble Speaker.....	4..0..0
To the Clerk.....	2..0..0

The Petition of S.^t Michael's Parish, which was referred from last Session to this, is referred till next Session.

George Steuart Esq.^{re} from the Upper House, delivers to M.^r Speaker the Bill, entitled, An Act for the Relief of Henry Gassaway, thus indorsed; "By the Upper House of Assembly April 19.th 1774; Read the first and second Time by an especial Order and will pass

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Signed by Order James Brooks Cl. Up. Ho."

Which was read here and passed for ingrossing,

The House adjourns till 3 O'Clock

Post Meridiem

The House met.

The ingrossed Bills, N.^o 23, 24, 25, 26, 27, 28, were severally read and assented to, and sent to the Upper House, with the Paper Bills thereof, by M.^r Veazy and M.^r Ridgely.

Ordered, That M.^r J. Hall and M.^r Steele do acquaint his Excellency, that no further Business lays before this House.

John Ridout, Esq.^{re} from the Upper House, delivers to M.^r Speaker the Paper Bills N.^o 23, 24, 25, 26, 27, 28, severally indorsed; "By the Upper House of Assembly, April 19.th 1774: The ingrossed Bill, whereof this is the Original, read and assented to.

Signed by Order James Brooks Cl. Up. Ho."

Philip Thomas Lee and Benjamin Ogle, Esq.^{res} from the Upper House, acquaint M.^r Speaker, that the Governor requires the Attendance of the Members of this House immediately in the Upper House.

M.^r Speaker left the Chair, attended by the Members of the Lower House, went to the Upper House, and there presented to his Excellency the following ingrossed Bills, Viz.^t

N.^o 3. An Act to repeal An Act against Ingrossers and Regrators—

N.^o 4. An Act for the Relief of Benjamin Harris of Frederick County.

N.^o 5. An Act for abolishing June County Courts.

N.^o 6. An Act to repeal Part of An Act, to encourage the destroying of Wolves, Crows and Squirrels.

N.^o 7. An Act for the Support of an Organist in King and Queen Parish in Saint Mary's County.

N.^o 8. An Act to empower the Justices of Somerset County, to levy on the taxable Inhabitants of that Part of Stepney Parish which lies in the said County, a Quantity of Tobacco for the Purposes therein mentioned.

N.^o 9. An Act for the building of a Parish Church in All Saints' Parish in Calvert County.

L. H. J. N.^o 10. An Act to assess and levy on the taxable Inhabitants of
Liber 54 All-Hallows Parish in Worcester County, a Quantity not exceeding
Apr. 19 forty five thousand Pounds of Tobacco, for the Purpose of erecting
a Chapel of Ease in the said Parish.

N.^o 11. An Act for the building a new Church in the City of
Annapolis in S.^t Ann's Parish.

N.^o 12. A Supplement to the Act to unite the Free-Schools of
Somerset and Worcester Counties.

p. 380 N.^o 13. An Act for suspending the Power of the Commissioners
for building a Court-House and Prison in Harford County.

N.^o 14. An Act to unite the Free-Schools of Saint Mary's,
Charles, and Prince George's Counties.

No. 15. An Act for King William School in Annapolis.

N.^o 16. An Act for the Relief of the Poor in Talbot County.

N.^o 17. An Act for confirming the Title of Lazarus Pumphry
to the Land therein mentioned.

N.^o 18. A Supplementary Act to the Act, entitled, An Act to
prevent the injuring Harbours within this Province, and for repeal-
ing the Act therein mentioned.

N.^o 19. An Act to empower the Justices of Somerset and Worces-
ter Counties, to levy on the taxable Inhabitants of Coventry Parish,
in said Counties, the Quantity of thirty two thousand Pounds of
Tobacco, for the Uses therein mentioned.

N.^o 20. An Act empowering John Done, Sheriff of Worcester
County, to execute for the Public Levy, Deputy Commissary's and
Attornies fees.

N.^o 21. An Act relating to the public Roads in Anne Arundel,
Baltimore and Frederick Counties.

N.^o 22. An Act for the Relief of certain languishing Prisoners
in the several Jails therein mentioned

N.^o 23. An Act for regulating the gauging of Casks in the
Town of Baltimore

N.^o 24. An Act for Payment of the Public Creditors.

N.^o 25. An Act requiring the Justices of Somerset County, to
appoint Persons to lay out a Road in said County

N.^o 26. An Act for the Relief of Henry Gassaway.

N.^o 27. An Act to prevent the erecting of Booths and Sale of
Liquors on Holy Days

N.^o 28. An Act for the Relief of insolvent Debtors.

All which his Excellency passed into Laws in the usual Manner,
and made the following Speech.

Gentlemen of the Upper and Lower Houses of Assembly,

I have thought fit, by and with the Advice of the Lord Proprietary's Council of State, to prorogue this Assembly to Monday the Eleventh Day of July next, and you are accordingly to take Notice that you are prorogued to that Day.

L. H. J.
Liber 54
Apr. 19

So endeth this Session of Assembly, this 19.th Day of April, in the Third Year of the Dominion of the Right Honourable Henry Harford, Esq.^{re} Absolute Lord and Proprietary of the Province of Maryland, and in the Year of our Lord 1774.

Test. Jn.^o Duckett Cl. Lo. Ho.

ACTS OF THE ASSEMBLY PASSED DURING MARCH-APRIL, 1774

Liber R. G. At a Session of Assembly begun and held at the City of Annapolis
 ¹⁷⁷⁴ the Twenty third day of March in the Third Year of the Dominion
 p. 317 of the Right Honourable Henry Harford Esquire absolute Lord and
 Proprietary of the Province of Maryland and so forth Annoque
 Domini One Thousand Seven Hundred and Seventy four and End-
 ing the Nineteenth Day of April Following.

The following Laws were Enacted and Assented to by His
 Excellency Robert Eden Esquire, Governor

No. I An Act for the Adjournment of the Provincial Court

[Provincial Be it enacted by the Right Honourable the Lord Proprietary by
 Court ad- and with the advice and consent of his Governor and the Upper
 journed to and Lower Houses of Assembly and the Athority of the same That
 the First the Provincial Court which stands Adjourned to Monday the Twenty
 Tuesday in eighth day of this present Month and the Provincial Court to be
 May.] held on the Second Tuesday of April next shall be and are by virtue
 of this Act Adjourned to the ffirst Tuesday in May next and all
 causes Actions Pleas Process and proceedings Civil or Criminal
 depending in or returnable to the said Courts shall be and are hereby
 Adjourned and continued to the same first Tuesday in May next
 and all Process shall be returnable to the said day and the said
 Process and every other matter or thing shall be in the same state
 and condition as if the said Courts had been held on their respective
 days and the Justices of the Provincial Court shall and are hereby
 Authorized to Try and determine all such suits and Pleas which
 Ought to have been ended at the Court to be held the Twenty eighth
 instant at their said next Court in Preference of causes depending
 to be determined at the Court which was to have been held on the
 Second Tuesday of April next and the Jurors summoned to attend
 the said April Court shall and are hereby obliged to Attend on the
 said first Tuesday of May next without further Notice and the sum-
 monses for Adjourned Court Business shall be returnable to the
 first Tuesday in said Month the summonses for the Eastern Shore
 business the second Tuesday and the Summonses for the Western
 Shore Business on the Third Tuesday in said Month and all Wit-
 nesses already Supboena'd [*sic*] are hereby required to Attend accord-
 ingly on the said respective days.

By the Lower House of
 Assembly March 28:th
 1774 Read and assented
 to.

Signed by Order
 Jn.^o Duckett Cl. Lo. Ho.

4 sides

On behalf of the Right
 Honourable the Lord
 Proprietary of this Pro-
 vince I Will this be a Law
 Rob.^t Eden

By the upper house of
 Assembly March 28.th
 1774 Read and Assented
 to

Signed by order
 James Brooks Cl. Up. Ho.

the Great Seal
 in wax Appendant

No. 2 An Act to prevent Infection from the Ship Chance.

Liber R. G.
1774
p. 318
[Preamble.]

Whereas the Ship Chance now riding at Anchor in the Harbour of the City of Annapolis hath on board a Number of persons infected with the Flux and putrid Fever. And divers Servants have been landed from on board the said Ship some of whom are now ill of the said disorders to the Manifest—hazard of the Health of the Inhabitants and of the General Assembly now convened

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower houses of Assembly and the Authority of the same That it shall and may be lawful for the Sherriff of Ann Arundel County and he is hereby directed and required immediately to remove or cause to be removed the said ship Chance from the River Severn where she now rides at Anchor without the Mouth of the said River and at least One Mile from the Shore and there moore the said Ship

[Ship Chance
to be re-
moved.]

And be it Enacted that after the said Ship shall be removed as aforesaid it shall not be Lawful for any Person belonging to the said Ship to quit the same by going on board any other Ship or Vessel or by coming on shore to the City of Annapolis or Elsewhere within this province or to land any goods or Merchandizes from on board the said Ship without Leave from the Governor or Commander in Chief of this Province first had and obtained under the Penalty of One Hundred Pounds Sterling for every Offence and that any Person who shall go on board the said Ship after she shall be removed as aforesaid and shall return on Shore without such License shall forfeit One Hundred pounds Sterling for every offence And if any servant or Slave shall go on board the same Ship without Such License such Offender shall be whipped on his bare Back not Exceeding thirty nine Stripes and if any person shall go on board and come from the same ship without such Leave as aforesaid it shall and may be Lawful for the said Sherriff or for any Justice of the Peace to compel even by force and Violence in Case of Resistance such offender to return immediately on board the said Ship there to remain untill he shall obtain leave as aforesaid under the Penalty of One Hundred pounds Sterling Money—

[No Person
to quit the
Ship or
land Goods
&c. under
Penalty &c.]

And that the said Sheriff and such persons as shall be appointed by him and no others may supply the persons on board the said ship with Water, wood provisions and other Necessaries

Be it Enacted that a Boat shall be Anchord at least Two Hundred Yards distance from the said ship and the said Sheriff and such persons as shall be appointed by him, and no others Shall Supply the persons on board with all Necessaries by putting the same on board the said boat and the person carrying such provisions shall not go on board the said ship on any pretence whatsoever,

[A boat to
be kept by
the Sheriff
some Dis-
tance from
the Ship to
supply the
People on
board with
Neces-
saries:]
[And to pro-
vide a Place
where the
Ship may be
brought and
the People
landed &c.]

And be it Enacted that the said Sheriff shall and he is hereby authorized and required as soon as possible to agree for and provide

Liber R. G. 1774 a convenient place not within One Mile of the said City where the said Ship may be brought and the persons on board may be Landed and provided with Necessaries by consent of the owner of the Soil where they may be landed and when he hath agreed for such place the said Sherriff shall and he is hereby Authorized and required to cause the said ship to be removed with the Licence of the Governor or Commander in Chief and left in such situation that the persons on board may be landed by the said Sheriff and Provided with all necessities and the Commissioners for Emitting Bills of Credit are hereby required to pay to the said Sheriff any Number of Dollars that may be wanting not Exceeding Four Hundred Dollars to be laid out in defraying his Expences in the Execution of this Act and the said Sheriff shall retain One Hundred of the said Dollars for his trouble and render an Account upon Oath of his said Charges and Expences and if any Ballance remains shall pay the same to the said Commissioners—

[The Mayor &c. to remove People who came in said Ship &c.] And be it further Enacted that the Mayor Recorder and Aldermen of the City of Annapolis or any three of them shall be and are hereby impowered to cause all persons who came in the said Ship or any of them in their discretion to be removed and put in such place or places as they may think proper and be there kept attended supported and provided with necessities and conveniencies.

[The Commissioners for emitting Bills of Credit to pay the Expence &c.] And to enable the Mayor Recorder and Aldermen aforesaid to provide for the said persons as aforesaid Be it Enacted that the Commissioners for emitting Bills of credit shall pay and deliver to the Mayor Recorder and Aldermen aforesaid or any three of them or their order or Orders any Number not Exceeding One Hundred and Twenty Dollars

[And give Notice to the Naval Officer.] And be it further Enacted that the Commissioners aforesaid shall give Notice of all payments by them made in virtue of this Act to the Naval Officer of the Port of Annapolis who shall collect and receive the same from the person who shall offer to clear out the said ship before the said Naval Officer shall deliver any Clearance for the said ship and as soon as the same is paid to the said Naval Officer he shall return the same to the said Commissioners

[Ship to be in Custody of the Sheriff till released by the Governor.] And be it Enacted that the same ship shall remain in the Custody and care of the sheriff of Ann Arundel County untill the Governor or Commander in Chief shall give him Orders for her delivery.

[Penalties how applied.] And be it Enacted that any of the Penalties aforesaid may be recovered in any County Court of this province and applied to defray the Expences of such County where such recovery shall happen

By the Lower house of Assembly March 29th 1774 Read and Assented to

Signed by Order
Jn.^o Duckett Cl. Lo. Ho

11 Sides

On Behalf of the Right Honourable the Lord Proprietary of this Province I Will this be a Law
Rob^t Eden

By the Upper house of Assembly March 29th 1774 Read and assented to

Signed by Order
James Brooks Cl. up. Ho.

the great seal
in Wax appendant

No. 3 An Act to repeal An Act against Ingrossers and Reqrators

Liber R. G.
1774
[An Act
against In-
grossers and
Reqrators
repealed.]

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower houses of Assembly and the Authority of the same That An Act of Assembly made at a Session of Assembly begun and held at the City of Annapolis on the Fifth day of September One Thousand seven hundred and four, entitled "An Act" against Ingrossers and Reqrators" and is hereby repealed abrogated and made Null and Void.

By the Lower Assembly
April 7. 1774. Read and
Assented to

Signed by order
Jn.^o Duckett Cl. Lo. Ho.

1½ Side

On Behalf of the Right
Honourable the Lord
Proprietary of this prov-
ince I Will this be a Law
Rob.^t Eden

By the Upper house of
Assembly April 7.th 1774
Read and Assented to

Signed by order
James Brooks Cl. Up. ho.

the great seal
in Wax appendant

No. 4 An Act for the Releif of Benjamin Harris of Frederick County

p. 320

Whereas Benjamin Harris of Frederick County by his Petition to this General Assembly did set forth that on or about the Eighth day of October Seventeen Hundred and fifty five he agreed with a Certain Thomas Butler of Frederick County (since deceased) for the purchase of part of a Tract or parcell of Land lying and being in Frederick County aforesaid called Hermitage containing One Hundred and Sixteen Acres for which he paid unto the said Thomas Butler the sum of Twenty three pounds three Shillings Current Money in full consideration for the said Land, that the said Thomas Butler on the day and Year aforesaid Executed a Deed of Bargain and sale to him for the said land which was the same day and year acknowledged before David Lynn and Charles Jones two of the Lord Proprietarys Justices of the Peace for Frederick County aforesaid, that from Ignorance of the Law for Enrollment of Deeds and from Sundry reports of the Indians advancing towards Frederick Town he neglected to have the same Deed Enrolled within the Time Limited by Law And therefore Prayed that an Act might Pass to Enable and require the Clerk of Frederick County to Enroll the same deed among the Records of Frederick County Court And whereas it [appears] to this general assembly that the several facts set forth in the said Petition are true

[A private
act.]

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the upper and Lower houses of Assembly and the Authority of the same That the Clerk of Frederick County may and shall record in the Land records of Frederick County Court on being paid Therefor the said Deed executed by the said Thomas Butler to the said Benjamin Harris and

Liber R. G. the same when recorded shall be as good and effectual in Law as
 1774 if recorded within the Time Prescribed by Act of Assembly.

By the lower house of Assembly April 7. th 1774 Read and Assented to Signed by order Jn. ^o Duckett Cl. lo. ho	}	On behalf of the Right Honourable the Lord Proprietary of this prov- ince I Will this be a Law Rob. ^t Eden	{	By the Upper House of Assembly April 7. th 1774 read & Assented to Signed by order James Brooks Cl. Up. ^r Ho.
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4½ Sides

the great seal
in wax appendant

No. 5 An Act to repeal part of an Act to encourage the destroying of Wolves, Crows, and Squirrels.

[Part of an Act for destroying Wolves &c. repealed.] Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that so much of an Act of Assembly made at a Session begun and held at the City of Annapolis the Third day of October One Thousand and Seven Hundred and twenty eight Entitled "An Act to encourage the destroying of Wolves Crows, and Squirrels, as relates to the killing of Crows and Squirrels in Baltimore County be and is hereby repealed abrogated and made void.

By the Lower house of Assembly April 8. th 1774 Read and Assented to Signed by Order Jn. ^o Duckett Cl. lo. Ho	}	On behalf of the Right Honourable the Lord Proprietary of this Prov- ince I Will this be a Law Rob. ^t Eden	{	By the Upper house of Assembly April 8. th 1774 Read and assented to, Signed by Order James Brooks Cl. Up ^r Ho
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2 Sides

the great Seal
in Wax appendant

No. 6 An Act for Abolishing June County Courts

p. 321
 [Preamble.] Whereas it is by Experience found that the County Court held in the Month of June within this Province is very Prejudicial and of great hindrance to the necessary business of the People in that Season of the Year for remedy whereof for the future

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That June Court heretofore held in every County be and is hereby discontinued and abolished and that Every matter or thing directed and required by any Law of this Province to be done used and Practised at June Court shall for the future be done used and Practised at the August Court in every County as fully and effectually to all intents constructions and Purposes as the same hath hitherto been done used and Practised at June Court aforesaid any Law usage or custom to the Contrary thereof in any wise Notwithstanding.

And Whereas by the discontinuing and abolishing June Court it is thought reasonable that the Time for limiting the Continuance of Actions in the several and respective County Courts within this Province should be shortened

Liber R. G.
1774
[By abolishing June Court, Actions how long to be continued.]

Be it therefore Enacted that all Actions Commenced or to be commenced in any County Court of this Province may be continued to the end of the third Court after the appearance Court and no Longer unless it shall appear by affidavit to the Satisfaction of the Court that Testimony Material in such suit is really wanting and that the Party alledging the same to be wanting or his Attorney or agent hath used his reasonable Endeavours for procuring such Witness or Testimony any former Law usage or custom to the Contrary thereof notwithstanding

And Whereas from the Increase of Civil Business in Charles, Talbot, Saint Marys Baltimore and Kent Counties it is thought Proper that the days appointed by Law for the holding of the County Courts for the said Counties be altered Be it therefore Enacted that for the future the County Court for Baltimore, Talbot, and Saint Marys Counties shall be held on the Monday before the first Tuesday in the Months of March August and November Yearly, for Charles County on the Monday before the second Tuesday of the said Months and for Kent County on the Monday before the third Tuesday of the said Months and that all Actions Process and proceedings as well Criminal as Civil which are depending and undetermined in the said County Courts or returnable to the first second and third Tuesdays in June next shall be construed Judged and taken to be in the same situation state and condition on the Monday before the first second and Third Tuesdays in August next as they would be on the First second and third Tuesdays in June next, And the Justices of the said County Courts for the Time being may on the Mondays before the first second and third Tuesdays of August next proceed to the hearing and determining all Actions Process and proceedings respectively as the case may require as fully and Effectually to all intents Constructions and purposes whatsoever as the Justices of the said County Courts could or might Lawfully do on the first second and third Tuesdays of June next any Law usage or Custom to the Contrary thereof notwithstanding

[By Reason of the Multiplicity of Business, the County Courts for Baltimore, Talbot, Saint Mary's, Charles, and Kent Counties, when to be held.]

And be it Enacted that all Pleas Process and Proceedings Civil or Criminal which are or shall be returnable to the next June County Courts of each respective County of this province shall by virtue of this act be returnable to the next August Court to be held for each County and all actions Suits Process and Proceedings Civil or Criminal depending in or returnable to the next June County Court of each County shall be and are hereby continued to the next August Court of each County and the said Process and every other Matter or thing shall be in the same state and Condition at the next August

[All Pleas &c. returnable to June, to be returned to August Court in each County.]

Liber R. G. Courts as they would be at the next June Courts and the Justices
1774 of the said County Courts respectively may at their next August Courts hear and determine the same as fully and Effectually to all Intents and purposes whatsoever as they might Lawfully do at the next June Courts to be held for their County any Law to the Contrary thereof Notwithstanding

[Process returnable to Baltimore and Kent County Courts made valid.] And Whereas the County Courts for Baltimore and Kent Counties were respectively held on the Monday preceeding the first and Third Tuesdays in March last and to which days respectively the Process in the said Counties were made returnable Be it Enacted that the said Courts held for the said Counties and also the Process returnable as aforesaid shall be good and Valid in Law any Error in the Time of holding the said Courts or in the return of the said Process Notwithstanding

[Continuance.] This Act to Continue and be in force for and during the Term of three Years and to the end of the next Session of Assembly that shall happen after the said three Years

By the Lower house of
Assembly April 7.th 1774
Read and Assented to
Signed by Order
Jn.^o Duckett Cl. Lo. Ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I Will this be a Law
Rob.^t Eden

By the Upper House of
Assembly April 7.th 1774
Read and assented to,
Signed by Order
James Brooks Cl. Up Ho

10 Sides

the great seal
in wax appendant

No. 7 An Act for the Support of an Organist in King and Queen Parish in Saint Marys County

[Preamble.] Whereas Sundry of the Inhabitants of King and Queen Parish in Saint Marys County have by their humble Petition to this General assembly Prayed that an Act may Pass empowering the Justices of said County at their November Court Yearly to Assess and Levy on the Taxable Inhabitants of said Parish a Quantity not Exceeding Five pounds of Tobacco Per Poll for the support of an Organist.

[The Justice of St. Mary's County to levy on the taxable Inhabitants of King and Queen Parish, a Quantity not exceeding 5 lb. of Tobacco per Poll, for the Support of an Organist;] Be it Enacted by the Right Honorable the Lord Proprietary by and with the Advice and consent of his Governor and the Upper and Lower Houses of Assembly and the Athority of the same That the Justices of Saint Marys County Court aforesaid for the Time being shall and May at their November Court Annually Assess and Levy on the Taxable Inhabitants of said Parish a Quantity not exceeding Five Pounds of Tobacco p Poll together with the Sherriffs Commission of Five p Cent for collecting the same, which said Assessment when made shall be collected in the same manner as Public and County Levies are usually collected and levied and by him be paid To Mess.^{rs} Thomas Bond Zachariah Bond John Eden, James Jordan, William Thomas, John Briscoe and Hanson Briscoe

or to the Major Part of them who are hereby Authorized and empowered to receive and apply the same to the use and purposes aforesaid But if it shall at any Time happen that the said Parish shall be with out an Organist then the said Assessment shall be applied to the General use of the same Parish

Liber R. G.
1774

Provided always and be it Enacted that it shall and may be Lawful for the Several and respective Inhabitants of the Parish aforesaid to pay and discharge the said Several Quantities of Tobacco so to be levied and raised for the uses aforesaid in Money in the same manner as they are or shall here after be enabled to pay and discharge the Public or County Levies any Clause Matter or thing herein to the contrary notwithstanding

[Which may
be dis-
charged in
Money.]
p. 323

This Act to continue Three Years and to the end of the next Session of Assembly which shall happen after the Expiration of the said Three Years

[Continu-
ance.]

By the Lower House of
Assembly April 12.th 1774
Read and Assented to,
Signed by order
Jn.^o Duckett Cl. Lo. Ho

On Behalf of the Right
Honourable the Lord
Proprietary of this Pro-
vince I Will this be a Law
Rob.^t Eden

By the Upper House of
Assembly April 13.th 1774
Read and assented to,
Signed by order
James Brooks Cl. Up Ho

4 sides

the great seal
in wax appendant

No. 8 An Act to impower the Justices of Somerset County to levy on the Taxable Inhabitants of that Part of Stepney Parish which lies in the said County a Quantity of Tobacco for the Purposes therein Mentioned

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Justices of Somerset County for the Time being shall and may at their November Court for this present Year Assess on the Taxable Inhabitants of that Part of Stepney Parish which lies in Somerset County the Quantity of Thirty two Thousand five hundred and Twenty eight pounds of Tobacco together with a Commission of Five p Cent to the Sheriff of the said County for receiving and collecting the same which said Assessment when made shall be payable in Tobacco or Money and shall and may be collected distrained and executed for by the Sheriff aforesaid in the same manner as Public and County levies may be collected and distrained or executed for and shall be paid by the said Sheriff to the Reverend M.^r John Scott Mess.^{rs} William Adams George Day Scott Joseph Dashiell and George Dashiell or the Major Part of them who shall receive apply and expend the same towards or in discharge of the expences already incurred or to be incurred in finishing and Compleating the Chapple

[Justices of
Somerset
County to
levy on the
taxable In-
habitants of
that Part of
Stepney
Parish
which lies in
said County,
the Quantity
of 32,528 lb.
of Tobacco,
for finishing
the Chapel at
Spring Hill.]

Liber R. G. of Ease at Spring Hill at the Head of Wiccomoco River and at
1774 Broad Creek in the said Parish.

By the Lower House of
Assembly April 12 1774
Read and Assented to.

Signed by order
Jn.^o Duckett Cl. Lo. Ho }
3½ sides

On Behalf of the Right
Honourable the Lord
Proprietary of this Pro-
vince I Will this be a Law
Robt Eden

By the Upper House of
Assembly April 13:th 1774
Read and Assented to

Signed by Order
James Brooks Cl. Up^r Ho

the Great Seal
in wax appendant

No. 9 An Act for the Building of a Parish Church in All Saints Parish
p. 324 in Calvert County

[Preamble.] Whereas Sundry of the Inhabitants of All Saints Parish in Calvert County have by their Humble Petition to this General Assembly set forth that the Parish Church in the County aforesaid is now become so much decayed that they cannot with any degree of Safety repair thereto and attend upon devine service; and being desirous, not only to remove this Inconvenience but to promote and advance Religion and render the Attendance on Public Worship more safe and agreeable by Erecting on or near the Ground where the Old church now stands a good Sufficient and commodious Building for such necessary, pious and Laudable Purpose's have humbly Prayed that an Act may Pass that a Quantity not Exceeding two Hundred Thousand pounds of Tobacco may be levied upon the Taxable Inhabitants of the said Parish by Three Equal Assessments

[Persons named to agree for one Acre of Land, and also with proper Persons to undertake the building of a new Church &c.] Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Reverend M.^r Thomas John Clagett and Mess.^{rs} Edward Gantt, Thomas Reynolds, Charles Graham and William Ireland or the Major Part of them be and are hereby authorized and empowered to treat and agree with some person or persons having land adjoining to the ground where the old Church now Stands for a Quantity of Ground not exceeding One Acre and also to treat and agree with such person or persons as they shall think proper to undertake Erect and Build and in a Workman like manner compleat and finish a Parish Church on or near the Ground where the old Church now stands

[Justices to levy on the taxable Inhabitants of All Saint's Parish, at their November Court in 1774, 1775, and 1776 200,000 lb. Tobacco for the Purposes aforesaid &c;] And be it also Enacted that the Justices of Calvert County aforesaid for the Time being shall and may at their next ensuing November Courts to be held in the Year Seventeen Hundred and seventy ffour, Seventeen Hundred and seventy five, and Seventeen Hundred and Seventy Six, Assess and levy on the Taxable Inhabitants of the said Parish a Quantity not exceeding the aforesaid sum of Two Hundred Thousand pounds of Tobacco together with the Sheriffs Salary of five p Cent for collecting the same which said Assessments so as aforesaid when made shall be collected by the Sheriff

of the County aforesaid in the same Manner as Public and County levies are usually collected and levied and by him be paid to the Reverend M.^r Thomas John Clagett and Mess.^{rs} Edward Gantt, Thomas Reynolds, Charles Graham and William Ireland or the Major Part of them who are hereby Authorized and required to receive and apply the same to the use and Purpose aforesaid

Liber R. G.
1774

Provided always and be it further Enacted that it shall and may be Lawful for the several and respective Inhabitants of the Parish aforesaid to pay and discharge the said Several Quantities of Tobacco so to be levied and raised for the uses aforesaid in Money in the same Manner as they are or shall here after be enabled to Pay and discharge the Public or County levies; any Clause Matter or Thing herein to the Contrary notwithstanding

[Which may
be dis-
charged in
Money.]

By the lower House of
Assembly April 13.th 1774
Read and Assented to
Signed by Order
John Duckett Cl. Lo. Ho
5 sides

On Behalf of the Right
Honourable the Lord
Proprietary of this prov-
ince I Will this be a Law
Rob.^t Eden

By the Upper House of
Assembly April 13.th 1774
Read and Assented to
Signed by order
James Brooks Cl. Up^r Ho

the great Seal
in Wax appendant

No. 10 An Act to Assess and levy on the Taxable Inhabitants of All Hallows Parish in Worcester County a Quantity not exceeding Forty five Thousand Pounds of Tobacco for the Purpose of erecting a Chapel of Ease in the said Parish p. 325

Whereas Sundry of the Inhabitants of All Hallows Parish in Worcester County have by their humble Petition to this Present General Assembly set forth that the Church situate at Snow Hill Town being so very remote from the lower part of the said Parish that a great Number of the Inhabitants have it not in their power to attend the said Church at Snow Hill Town and for as much as the said Inhabitants are desirous of having a Chapel of Ease Erected in such Part of the said Parish where they may partake of the advantage of Attending Divine Service and hearing a Sermon once in every Three Weeks have Prayed that an Act may Pass to enable the Justices of Worcester County to levy on the Taxable Inhabitants of All Hallows Parish in Worcester County aforesaid a Quantity not exceeding Forty five Thousand pounds of Tobacco at two equal assessments for the purpose of Erecting and Building a Chapel of Ease near a Place called sandy Hill or on the Land of Michael Tarr which the Commissioners here after Mentioned or the Major Part of them shall think most convenient [Preamble.]

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Reverend John Rosse Mess.^{rs} Bowdoin Robins, John Selby Outten Sturges John Parramore Eliakem Johnson and Ezekiel

[Persons
named to
agree for one
Acre of land,
and treat
with any
Person or
Persons to
build a
Chapel of
Ease.]

Liber R. G. Coston of the Parish and County aforesaid or the Major part of
 1774 them be and are hereby authorized empowered and required to treat and agree with any Person or Persons as they or the Major part of them shall think proper for one Acre of Land and to employ such person or persons to Build a Chapel of Ease thereon near a place called sandy Hill or on the Land of Michael Tarr which they or the Major part of them shall think most convenient for the use of the Inhabitants of the said Parish which said Chapel when so built shall be and is hereby declared to be constituted and deemed the Chapel of Ease of the said Parish and the said Chapel for ever after shall be supported and repaired at the Charge of the said Parish

[Justices to levy by Two equal Assessments on the taxable Inhabitants of All Hallows Parish, the Quantity of 45,000 lb. Tobacco for the Purposes aforesaid.]

And be it Enacted That for the Building of the said Chapel of Ease near a place called sandy Hill or on the Land of Michael Tarr the Justices of Worcester County for the Time being shall and they are hereby Authorized and empowered to Assess and Levy on the Taxable Inhabitants of All Hallows Parish aforesaid a Quantity not exceeding Forty Five Thousand pounds of Tobacco by Two equal assessments in the Years of our Lord One Thousand seven Hundred and Seventy four and One Thousand Seven Hundred and Seventy five together with the Sheriffs Salary of five per Cent for collecting the same, which said Assessments shall respectively be made by the Justices aforesaid in Proportion to the Taxable Inhabitants of the said Parish of All Hollows and shall be collected by the Sheriff of Worcester County from the several Taxable Persons of the said Parish and the said Quantities of Tobacco when so as aforesaid collected shall be paid by the said Sheriff to the Commissioners aforesaid or the Major Part of them who are hereby Authorized to receive and apply the same to the uses aforesaid

p. 326
 [Which may be discharged in Money.]

Provided always and be it further enacted that it shall and may be Lawful for the Several and respective Inhabitants of the Parish aforesaid to pay and discharge the said several Quantities of Tobacco so to be levied and raised for the uses aforesaid in Money in the same Manner as they now are or hereafter shall be Enabled to Pay and discharge the Public or County Levies any Clause Matter or thing herein to the Contrary Notwithstanding

By the lower House of
 Assembly April 13.th 1774
 Read and Assented to
 Signed by Order
 John Duckett Cl. Lo Ho

8 sides

On Behalf of the Right
 Honourable the Lord
 Proprietary of this Province I Will this be a Law
 Rob.^t Eden

By the Upper House of
 Assembly April 15.th 1774
 Read and Assented to
 Signed by order
 James Brooks Cl. Up^r Ho

the great Seal
 in Wax appendant

No. 11 An Act for Building a New Church in the City of Annapolis in Saint Anns Parish.

[Preamble.] Whereas the Church in the City of Annapolis is too Small, inconvenient, and in a ruinous State and many People have already Sub-

scribed large Sums of Money Amounting together to two Thousand five Hundred pounds Common Money and Upwards and others are still expected to subscribe further sums so as to raise the said Subscription in the whole to three Thousand pounds Common Money under an Expectation that a Tax should be imposed by the General Assembly on the Taxable Inhabitants of Saint Anns Parish Sufficient to raise one Thousand pounds Common Money and also that the General Assembly would grant a Sum of Public Money the whole to be applied in Erecting Building and finishing a large Commodious and Elegant Church with a Steeple thereto to Cover the Spot where the said Old Church now Stands

Liber R. G.
1774

Be it therefore Enacted by the Right Honourable Lord Proprietary by and with the Advice and consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Honourable John Ridout Esquire Samuel Chase and William Paca Esquires Doctor Upton Scott and M.^r Thomas Hyde, shall be and are hereby appointed Trustees for the purpose of Building the said New Church and they or the Major part of them are hereby impowered to set up and Expose to sale to the Highest bidder all the Materials of the said Old Church (except such parts thereof if any as have been set up by private People) or to cause the said Old Church to be pulled down and the materials thereof or such of them as they may think Proper to use and apply in building the said New Church and the said Trustees or the Major Part of them are also impowered as soon as conveniently may be to cause a New and Commodious Church the center whereof shall be in the same place or point where the Center of the same Church is and a Steeple thereto to be Erected built and finished in the best manner that the same can be done for the Money Subscribed granted and raised by Virtue of this Act and the said Trustees or the Major Part of them are hereby fully impowered in their discretion to agree for the said work with a Contractor or Contractors for the whole entire or in Parcels or to purchase Materials and hire workmen and Labourers to do the said work as to them shall seem best,

[Trustees appointed; who are empowered to sell the Materials of the old Church, and cause a new one to be erected.]

p. 327

And be it further enacted that the Trustees aforesaid or the Major Part of them shall and may receive all Monies already subscribed or hereafter to be Subscribed to or for the Purpose of Building the said New Church and if any subscriber shall neglect or refuse to pay his subscription Money the said Trustees or the Major Part of them are hereby Authorized and required to sue for, and recover the same in an Action of Tresspass upon the case in which it shall be sufficient to declare for the Money Subscribed as for so much money had and received by the Defendant for the use of the Plaintiffs.

[Trustees to receive, all Monies subscribed, &c.]

Liber R. G. And be it enacted that the Justices of Ann Arundel County Court
 1774 for the Time being shall and they are hereby required at the Time
 [Justices of Anne- of laying their County Levy in the Years Seventeen Hundred and
 Arundel County to seventy four and Seventeen Hundred and seventy five to Assess and
 levy on the Taxable Inhabitants of Saint Anns Parish by two equal
 1775, 160,000 Assessments one Hundred and Sixty Thousand pounds of Tobacco
 lb. Tobacco, and the Sherriffs Salary of Five p Cent for Collection and the
 which may Sheriff of the said County shall and he is hereby Authorized and
 be dis- required to Collect and receive the said Assessments in the same
 charged in Manner and at the same rate as the County Levy and the Inhabitants
 Money.] of the said Parish may pay the same in Money at the same rate as
 the County Levy and the said Sherriff and his Sureties shall be
 Answerable for and Pay the same to the Trustees aforesaid or the
 Major Part of them or their Order at any Time after he has col-
 lected or by Law ought to have collected the same and if the said
 Sheriff shall neglect or refuse to Pay such Assessments the said
 Trustees or the Major Part of them are hereby Authorized and
 required to sue for and recover the same from the said Sheriff or
 his Sureties or his or their Executors or administrators respectively
 in an Action of Trespass upon the Case in which it shall be sufficient
 to Declare for so much Money or Tobacco had and received by the
 Defendant for the use of the Plaintiffs

[Commissioners for And be it further enacted That the Commissioners for Emitting
 emitting Bills of Bills of Credit shall as occasion may require Number and Sign Bills
 Credit to pay the Act for emitting Bills of Credit and applying part thereof appro-
 Trustees priated to the purposes in the Same Act Particularly mentioned
 4000 and to such other purposes as should be appointed by act of the
 Dollars.] General Assembly to the Amount of Four Thousand Dollars and
 the same Bills of Credit shall issue pay and deliver to the said
 Trustees or the Major part of them or their Order or Orders
 and the said Trustees or the Major part of them shall apply lay out
 and expend all Monies which shall come to their hands in Virtue
 of this Act in and for the Purposes aforesaid

[Pews, how And be it further enacted that in the said Church a Pew shall be
 disposed of.] built and Finished for the Governor or Commander in Cheif of
 this Province for the Time being with suitable Ornaments and
 Decorations and next to the Governors Pew One Large Pew shall
 be erected and finished for the Members of the Upper House of
 Assembly and on the Contrary side of the Isle opposite the Gov-
 ernors Pew there shall be a Pew erected and finished for the speaker
 for the Time being of the lower House of Assembly with suitable
 Ornaments and decorations and on the Same side of the Isle as the
 Speakers Pew and adjoining thereto other Pews shall be erected and
 finished for the others members of the Lower House of Assembly
 and on the same side of the Isle as the Pews for the Members of the

Upper House of Assembly and adjoining thereto One large Pew shall be Erected and finished for the Judges of the Provincial Court and one other large Pew also Adjoining to the Judges Pew for Strangers which said Pew for the Governor and those for the Members of Upper and Lower Houses of Assembly that for the Judges of the Provincial Court and that for Strangers shall be in an airy and agreeable part of the Church and as Commodious as may be and after the said Church shall be finished the Trustees aforesaid shall Assign one Commodious Pew for the use of the Incumbent of Saint Annes Parish aforesaid for the Time being one other for the Church Wardens of the said Parish for the Time being and two other Pews in some convenient Part of the Church for the Jurymen who shall from Time to Time attend the Provincial Court and after the said Pews shall be assigned as aforesaid and after four weeks Notice in the Maryland Gazette of a Particular and convenient day for the Subscribers to choose their Pews the said Subscribers shall be admitted to Choose each a Pew in the said Church the subscriber of the greatest sum of Money having the first Choice and so of the rest each being preferred in the Choice according to the sum of his or her Subscription but if divers persons shall be Subscribed like sums then the Priority of Choice shall be determined by Lott and if any subscriber shall not be present or refuse to choose in Turn the Trustees aforesaid or the Major Part of them may Choose for him or her of which said Choices Entries shall be made in the Register Book of the said Parish and the said Pews shall be to the said Subscribers respectively in fee Simple

Liber R. G.
1774

p. 328

Provided always that no Subscriber as such shall be entitled to a Pew unless his or her Subscription amounts to Twenty pounds or upwards nor shall any subscriber have any Preference in Choice unless his or her subscription shall be made at one and the same Time intire and shall Exceed the subscription of the other subscribers of whom he or she claimes a preference five pounds at the least

[No Subscriber under £.20 to be entitled to a Pew, &c.]

Provided also and be it Enacted That no person whatsoever shall at one and the same Time in any Manner hold or have more than one Pew in the said Church

[Proviso.]

And be it Enacted that after the Subscribers Shall have their Pews as aforesaid the Trustees aforesaid or the Major Part of them shall set up and expose to sale to the said Parishoners of the said Parish and none others the residue of the Pews in the said Church and the said Trustees shall allow to such Purchaser the Amount of his Taxables in the Purchase Money and shall apply all Money arising from such sales in and for the purposes aforesaid the said Trustees taking care that there be Twenty Pews at least for Sale as aforesaid

[Trustees to expose to sale the Residue of the Pews.]

And be it Enacted that there shall be over and above the Pews aforesaid a Common Gallary or Place for any of the Parishoners

[A Gallary to be erected, &c.]

Liber R. G. 1774 who may Occasionally come to the said Church and also some Convenient Place set appart for Servants and another for Slaves that may attend Divine Service

By the Lower House of
Assembly April the 14
1774 Read and Assented
to
Signed by Order
Jn.^o Duckett Cl. Lo. Ho
26 sides

On Behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I will this be a Law
Rob.^t Eden

By the Upper House of
Assembly April 15.th 1774
Read and assented to
Signed by order
James Brooks
Cl. Up.^r Ho.

the great Seal
in wax appendant

No. 12 A Supplement to the Act to unite the Free Schools of Somerset and
p. 329 Worcester Counties

[Preamble.] Whereas it is represented to this present General Assembly by the Visitors of Eden School in Somerset County that they have purchased lands erected Buildings and Procured Masters for said School but have found it by experience extreamly difficult to procure a Majority of said Visitors to transact the Buisness of said school either at their stated or Occasional meetings and Praying that an Act might Pass enabling any seven of the Visitors of said School to transact any Business relating thereto

[Seven of
the Visitors
enabled
to act.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that any seven of the Visitors of said school now or hereafter to be chosen who shall attend at their stated or Occasional meetings shall and are hereby enabled to Proceed in the Transacting or negotiating any Business relative to said School as fully and amply to all Intents and Purposes as if there were a Majority of the whole Number then present any Law or usage to the contrary Notwithstanding

By the Lower House of
Assembly April 15.th 1774
Read and Assented to
Signed by Order
Jn.^o Duckett Cl. Lo. Ho
3 sides

On Behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I Will this be a Law
Rob.^t Eden

By the Upper House of
Assembly April 15.th 1774
Read and assented to
Signed by Order
James Brooks Cl. Up.^r Ho

the great Seal
in wax appendant

No. 13 An Act for Suspending the Power of the Commissioners for Building
p. 330 a Court House and Prison in Harford County.

[The Power
of the Com-
missioners
suspended so
far as may
relate to the
erecting a
Court-House
and Prison.]

Be it enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That the Power and Authority of the Commissioners appointed by the Act of Assembly entitled An Act for the Division of Baltimore County

and for erecting a new one by the Name of Harford so far as the power and authority of the said Commissioners may relate to the Erecting a Court House and a Prison in the said County of Harford and all Contracts made by them for such Buildings shall be and are hereby Suspended and shall not be by them Executed before the end of the next Session of Assembly anything in the said Act to the Contrary thereof Notwithstanding—

Liber R. G.
1774

By the lower House of Assembly April 15 th 1774 Read and Assented to Signed by order Jn. ^o Duckett Cl. Lo Ho 2 sides	}	On Behalf of the Right Honourable the Lord Proprietary of this Prov- ince I Will this be a Law Robert Eden	{	By the Upper House of Assembly April 16 th 1774 Read and Assented to Signed by Order James Brooks Cl. Up ^r Ho
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the great Seal
in Wax appendant

No. 14 An Act to unite the Free Schools of Saint Marys Charles and Prince Georges Counties

Whereas it is represented to this General Assembly by Sundry the Inhabitants of Saint Marys Charles and Prince George's Counties that the Free Schools in the said Counties do not Separately afford a sufficient encouragement for Proper Masters and that in order to have the Lands and houses of the said Schools sold and One School erected at the Place commonly called the Cool Springs in Saint Marys County and the funds consolidated into One and to further the Completion of so laudable an Institution Sundry Persons have Subscribed large Sums of Money and have Prayed that an Act might pass for that Purpose

[Preamble.]

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That as soon as may be after the end of this present Session of Assembly there shall be Erected One School for the said Counties of Saint Marys Charles and Prince Georges at the Place aforesaid Called the Cool Springs in Saint Marys County which shall be called by the Name of Charlotte Hall.

[A School to be erected for St Mary's Charles, and Prince-George's Counties at the Cool Springs;]

And be it Enacted that the said School shall be Governed by a President and twenty One Trustees Seven of whom to be residents of each of the said Counties and that for the Present His Excellency Robert Eden Esquire or the Governor or Commander in Cheif of this Province for the Time being shall be president and the Honourable George Plater Esquire the Reverend M.^r George Goundrill John Reeder Thomas Bond Richard Barnes Philip Key and Henry Greenfield Southeron for Saint Marys County The Honourable Richard Lee The Reverend M.^r Isaac Campbell William Smallwood Francis Ware Josias Hawkins George Dent and Doctor James Craik for Charles County and The Honourable Benedict Calvert The Rev-

[To be governed by a President and Twenty-one Trustees.]
p. 331

Liber R. G. erend Henry Addison Josias Beall Robert Tyler Joseph Sim Thomas
 1774 Contee and Doctor Richard Brooke for Prince Georges County
 Shall be Trustees for the said School and Shall Qualify in the same
 manner and be Subject to the Same Penalties and be invested with
 the same Rights Priviledges, Powers and Authorities to every
 Intent and Purpose as the Visitors of the other County Schools within
 this Province and Shall have Succession in like manner so that every
 Vacancy be filled up with a resident of that County wherein the
 said Vacancy may happen That an Equal Number of Trustees
 residing in each County may be kept up and any ffiteen or more
 of the said Trustees with or without the said President shall be and
 are hereby impowered to meet at the said school from Time to time
 and they or the Major Part of them so met may do any Act matter
 or Thing which the said President and Trustees might do any Law
 to the Contrary Notwithstanding

[Of all Duties, &c. to be collected for County Schools, 3 equal Dividends to be paid to the Trustees.] And be it enacted that of all duties taxes and Impositions hereafter to be collected for the use of the County Schools within this Province there shall be paid by the Treasurers of the Western and Eastern Shores to the Trustees aforesaid or the Major Part of them or their order three Equal Dividends by them to be applied and expended to and for the use and Benefit of the said School in like manner as the Dividends due to the other County Schools are by Law directed to be applied

[Trustees to receive all Subscriptions, and Monies in the Hands of Visitors chosen under a former Act.] And Whereas for defraying Part of the Expence and Charge of Building the said School Sundry the Inhabitants of the said Counties of Saint Marys Charles and Prince Georges have subscribed divers Sums of Money and Whereas there is a considerable sum of Money in the Hands of the Visitors of the said Schools Chosen under a former Act of Assembly for the said Counties of Saint Marys, Charles and Prince Georges Be it enacted that the Trustees Constituted by this Act or the Major Part of them shall and they are hereby Impowered to receive all Monies by the said Persons Subscribed and all Monies in the hands of the Visitors Chosen under the said former Law and such subscribers and Visitors are hereby directed to Pay the Monies in their hands and their Several Subscriptions to the Trustees appointed by this Act, and in Case of Neglect or refusal to pay the said Trustees or the Major Part of them may and they are hereby Authorised to sue for recover and receive the same in an Action of Trespass on the Case in which it shall be Sufficient to Declare for so much Money had and received by the Defendant for the use of the Plaintiffs

[To make Sale of the Schools in St. Mary's, Charles, & Prince-George's Counties, &c.] And be it enacted that the said Trustees residing in each County or the Major Part of them are hereby Authorised empowered and required to make sale by Way of Public Vendues of their said schools respectively of Saint Marys Charles and Prince Georges Counties with the land thereto belonging to the best and highest Bidder and

Convey the same in fee simple to the Purchaser or Purchasers his or their Heirs and Assigns for ever and the Money arising by the sale thereof as well as from Subscriptions shall be applied to the use of the said School any Law to the Contrary Notwithstanding

Liber R. G.
1774

By the Lower House of
Assembly 15.th April 1774
Read and Assented to
Signed by Order
Jn^o Duckett Cl Lo Ho

On Behalf of the Right
Honourable the Lord
Proprietary of this Pro-
vince I Will this be a Law
Rob.^t Eden

By the Upper House of
Assembly April 16.th 1774
Read and assented to
Signed by Order
James Brooks
Cl. Up.^r Ho.

11 sides

the great seal
in Wax appendant

No. 15 An Act for King Williams School in Annapolis

p. 332

Be it enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that any person or persons whatsoever may give grant assign convey or devise any Goods Chattles lands or Tenements to the Rectors Governors Trustees & Visitors of King Williams School in Annapolis for the Time being and the s.^d Rectors Governors Trustees and Visitors may accept take Possess and hold the same to the use of the said School to them and their Successors according to the Estate to be given granted Assigned conveyed or devised any thing to the Contrary thereof Notwithstanding

[The Rec-
tors, Gov-
ernors, &c.
may accept
any Goods,
&c. given &
hold the
same to the
Use, &c.
of King
William's
School.]

Provided nevertheless that the said Rectors Governors Trustees & Visitors shall at no Time hold more than the Value of Two Hundred pounds Sterling Annual Income But that all gifts grants assignments conveyances and Devises made to them when their Annual Income amounts to the value of Two Hundred pounds Sterling money shall be void.

[Proviso.]

And be it enacted by the Authority aforesaid that in Case of Absence of the Rector of the said Corporation it shall be Lawfull for any Number of the Governors & Visitors aforesaid not less than seven on any special Occasion to meet together Consult direct and Manage the affairs of the said School & execute the several Powers & Authorities with which the Rectors Governors Trustees and Trustees of King William School aforesaid are vested as well and effectually as the whole of them might do and the Orders Rules & directions that in the absence of their Rector shall by a Majority of the Governors and Visitors aforesaid not less than seven be made and given shall be of as good efficacy and Force as if they were made & given by the whole of the Members of that Corporation any thing to the Contrary thereof Notwithstanding

[In Absence
of the Rec-
tor, Seven of
the Gover-
nors and
Visitors may
act.]

And be it further enacted by the Authority aforesaid that the register or other officer of the said Corporation whose Duty it shall

[Register to
give the
Members
Notice of
any intended
Meeting.]

Liber R. G. be or who shall from Time to Time undertake to give Notice to the
 1774 Members of the said Corporation of any Intended meeting or Call
 of the said Corporation shall do the same fully and fairly giving
 Speedy and early Notice of the Time and Place of meeting of the
 Corporation to every member thereof living in Annapolis or leaving
 Written Notice thereof at such members abode and also to every
 Country Member that he shall know or be informed is then in
 Annapolis the like Notice if such Member shall Actually then be in
 Annapolis under the Penalty of Twenty Shillings for every Omission
 in the Premises to be recovered before a Single Magistrate and
 Applied to the use of the said Corporation.

By the Lower House of
 Assembly April 15. 1774
 Read and Assented to
 Signed by Order
 Jn.^o Duckett Cl Lo Ho

On Behalf of the Right
 Honourable the Lord
 Proprietary of this Prov-
 ince I Will this be a Law
 Robt Eden

By the Upper House of
 Assembly April 15:th 1774
 Read and Assented to
 Signed by Order
 James Brooks
 Cl Up.^r Ho

6 sides

the great Seal
 in Wax appendant

No. 16 An Act for the Releif of the Poor in Talbott County

p. 333
 [Preamble.]
 [An Alms
 & Work-
 House to be
 erected in
 Talbot
 County.]
 [Justices to
 levy 15 lb.
 Tobacco per
 Poll, in 1774,
 1775, & 1776,
 to be paid to
 the Trustees,
 &c.]

Whereas the necessity Number and continual Increase of the poor
 within said County is very great and exceedingly burthensome which
 might be greatly lessened by a due regulation and Employment
 of them

Be it therefore Enacted by the Right Honourable the Lord Pro-
 prietary by and with the Advice and consent of his Governor and
 the Upper and Lower Houses of Assembly and the Authority of the
 same That there shall be an Alms and Workhouse Erected built and
 set up in Talbot County at a Convenient Place therein at the General
 charge and Expence of the said County and that the Justices of the
 said County for the Time being shall and they are hereby Authorised
 and empowered to Assess and Levy on the Taxable Inhabitants of
 said County at the Time of Laying their County Levy a Quantity
 not Exceeding fifteen pounds of Tobacco by the Poll on each and
 every the Taxable Inhabitants of their said County in each of the
 Years of our Lord seventeen Hundred Seventy four seventeen Hun-
 dred and seventy five and Seventeen Hundred and Seventy Six
 together with the Sherriiffs Salary of five per Cent for collecting
 the same which said Assessments so as aforesaid to be made and
 levied shall be collected by the Sheriff of the said County from the
 several Taxable persons who shall reside within the same in the same
 Manner as the Publick and County levies are Collected and the said
 Tobacco when so as aforesaid Collected shall be paid by such Sherriiff
 to such Trustees for the Poor or the Major part of them as are
 by this Act appointed who are hereby Authorised and required to

receive and apply the same to the uses and purposes herein after directed
 Liber R. G.
 1774

Liber R. G.
1774

Provided always and be it enacted that it shall and may be Lawful [Proviso.] for the several and respective Taxable Inhabitants within the said County to pay and discharge the said several Assessments in Money in the same Manner as they are enabled to pay and discharge the Publick or County Levy

[Proviso.]

And be it further enacted that for the Time being the Several Persons hereafter named be and are hereby appointed Trustees for the Poor within the said County and are impowered with full and sufficient Authority to discharge the Several Offices Duties and Trusts reposed in and required of them by this Act That is to say The Honourable William Hayward Esquire, M^r Henry Hollyday, Doctor Moses Allen M.^r William Hindman and M.^r James Benson the which Persons or the Major Part of them in Case of Death or absence of, any are hereby required with all convenient speed to meet at such Place within their County as to them shall seem meet to Qualify themselves for the Office of Trustees for the Poor of their County which they are to do by taking the Several Oaths Appointed by Law to be taken to the Government, signing the Oath of abjuration, and repeating and signing the Test and also taking the following Oath to wit. I A. B. do swear that I will duly and faithfully discharge the duties and Trusts committed to me as a Trustee for the Poor for Talbot County by an Act of Assembly entitled An Act for the releif of the Poor in Talbot County according to the best of my skill and knowledge so help me God the which Oath is to be Administered by any of the four Persons last named for the County to the person first named or in his absence to any one of the three Persons first named that shall be there present the which person being sworn as aforesaid shall Administer the Oaths aforementioned to all the rest & so successively the person first named that shall be present shall always Administer the said Oaths to Any that have been Absent or that shall have after be Elected and Chosen according pursuant to the directions of this Act, to supply the places of any that shall be dead or removed out of the County or of any who shall refuse or neglect to Qualify and Act as a Trustee when Elected and Chosen pursuant to the directions of this Act and the aforesaid Persons or the Major part of them being sworn as aforesaid shall be constituted and qualified as Trustees for the poor of their said County and as such are hereby Invested with full power and Authority as a Body politic to plead and be impleaded to sue and be sued to defend and be defended to Answer and be Answered by the Name of the Trustees for the Poor for Talbot County in all and every Cause, Complaint and Action real personal or mixed of whatever kind or nature it shall be in any of the Courts of Judicature within this Province and by that name

[Trustees appointed.]

[Their Oath.]

[Trustees invested with Power & Authority a Body politic, &c.]

p. 334

[Trustees
appointed.]

[Their
Oath.]

[Trustees invested with Power & Authority as a Body politic, &c.]

Liber R. G. they and any of them and their Successors shall and they are hereby
 1774 enabled to take hold Possess and enjoy any Gift Donation or Present which shall or may hereafter be given devised or Bequeathed by any Person or Persons whatsoever to them or any of them for or towards the Support and Maintinance of the Poor in the said County and they or any of them may receive by way of Subscription any sum or sums of Money which shall or may be given for the Better and more speedy promoting the Benefit and good by this act Intended and that they have full power Authority Lawful Capacity and ability to purchase take hold receive enjoy and have to them and their Successors for ever any Lands Tenements and Hereditaments not Exceeding the Yearly Value of One Thousand Pounds Sterling and are hereby empowered and authorised to use one common seal in the Business relating to the said Corporation and the same if necessary to change and alter and that the said persons so incorporated or the longest livers and successors of them shall be the true and undoubted Trustees in perpetual Succession forever to be continued in way and manner hereafter Specified with full and absolute power Liberty and Authority in the making and ordaining such Laws Orders and Rules for the better relieving regulating and setting the poor to work and Punishing Vagrants Beggars Vagabonds and other offenders and for the good goverment of the said Alms and Work House in their said County as to them and their Successors shall from time to time seem most fit and requisite all which shall be observed by the overseer of such alms and Work house and by all poor Beggars Vagrants Vagabonds and other offenders in such alms and Work house under the penalties therein Contained

[Proviso.] Provided always that the said Rules Laws and Orders be no wise Contrary to the Laws of this Province.

[In Case of Death or Refusal to act, remaining Trustees to choose others in their Room.] And to perpetuate the succession of the aforementioned Number of five Trustees for the poor in the said County Be it enacted that as often as any one of the said Trustees for the poor shall die remove himself out of the County refuse to Qualify himself by taking the Oaths aforesaid or become incapable of Acting the trustees for the Time being then surviving and remaining within the said County or the Major Part of them are hereby Authorised and required to Elect Nominate and Choose one of the principal and better sort of Inhabitants of the County in the place and room of such Trustee and so to fill up the full Number of Trustees of such Alms and Workhouse the which Persons so Elected and Chosen from time to time are always to be Qualified in the same manner as before by this Act is directed—

[Penalty on refusing to act as Trustee.] And be it further enacted that every person by this act appointed as a Trustee for the Poor or that shall hereafter be nominated and appointed as such pursuant to the directions thereof and who shall

wilfully refuse or Delay to take upon him the said Office shall forfeit and Pay for every such refusal or delay the Sum of Ten pounds Current Money Provided that no member of the Upper house of Assembly Clergyman Attorney or Practising Physician be obliged to accept of the Office of Trustee aforesaid or forfeit as aforesaid for refusing to accept and take upon him the same and that no Provincial or County Magistrate or Sheriff or any one who hath not the Qualification to be a Member of the Lower house of Assembly if Elected shall be capable to be chosen or Act as a Trustee aforesaid nor shall any Person be compellable to Serve in less than three Years after he has served or paid the said Forfeiture for not serving as a Trustee aforesaid

Liber R. G.
1774

and for enabling the said Trustee to purchase Land and Erect an Alms and Work house in the said County Be it enacted that the said Trustees or the Major part of them be and they are hereby Authorised and impowered from time to time as Occasion shall require to draw upon the Sheriff of Talbot County in whose hands the Tobacco aforesaid so as aforesaid to be assessed and levied or such part thereof as shall by Virtue of this Act be so assessed and levied shall remain for so much of the said Tobacco as the said Trustees or the Major part of them shall from Time to time think necessary to draw for the uses and purposes directed by this Act

[Trustees to draw on the Sheriff for as much Tobacco as they shall think necessary for the Uses directed by this Act.]

And be it further enacted that the said Trustees or the Major Part of them appointed as aforesaid shall and they are hereby authorised directed and required to buy and Purchase in fee a Quantity of Land in the said County not exceeding One Hundred Acres or less than fifty and the said Trustees or the Major Part of them appointed as aforesaid are hereby authorised directed and required to agree and contract with a Workman or Workmen to undertake Erect Build and in a workmanlike manner to compleat and finish on the said Land when so purchased good strong Sufficient and convenient Houses Habitations and Dwellings for the reception of the poor of said County and of such Vagrants Beggars Vagabonds and other offenders as shall be committed by virtue of this Act and they shall appropriate one Part thereof to be called the Alms House to and for the Reception and Lodging of the Poor of the said County and another Part or parts thereof to be called the work house to and for the reception and Lodging of all such Vagrants Beggars Vagabonds and other Offenders as shall be committed by virtue of this Act and the aforesaid Land when bought and the aforesaid Houses Habitations and Dwellings when built shall be and they are hereby enacted and declared to be vested in the said Trustees as their Estate and Inheritance for the uses and purposes by this act directed and expressed

[Trustees to purchase Land to build an Alms & Work-House;]
p. 335

Liber R. G. And be it further enacted that the said Trustees or the Major
 1774
 [And Beds, Part of them shall and they are hereby Authorised directed and
 working required after the Houses Habitations and Dwellings aforesaid shall
 Tools, &c. be compleatly erected and finished to buy and purchase for the use
 for the Use of and employment of the Poor of the said County and the Vagrants
 & Employment Beggars Vagabonds and other offenders who shall be committed by
 of the Poor, &c.] Virtue of this act Sufficient Beds Beding Working Tooles Kitchen
 Utensels Cows Horses and other Necessaries and The said Trustees
 are hereby directed and required to Purchase the said Quantity of
 Land not exceeding One Hundred Acres or less than fifty as near
 and Convenient as may be to the Court House in said County and
 the said Trustees are hereby oblided directed and required to keep
 [And to keep an Account of the Monies by them expended, to be examined by the Justices at their November Court.] a fair distinct and Clear account in Writing of all the Monies by
 them received and expended by virtue of this act and to return a
 True Copy thereof and shew and Produce the vouchers to support
 the same to the Justices of the said County at their November Court
 Yearly to be by the said Justices inspected and examined which said
 Accounts shall be Lodged with the Clerk of the said Court

[Justices to levy 15 lb. Tobacco per Poll for maintaining the Poor, &c.] And be it further enacted that after the Expiration of the said
 Three Years The Justices of Talbot County Court aforesaid for
 the time being shall and they are hereby empowered to Assess and
 levy on the Taxable Inhabitants of the said County at the time
 of laying their County levy a Quantity of Tobacco not exceeding
 fifteen pounds by the Poll on each and every of the Taxable In-
 habitants in the said County together with the Sheriffs Salary of
 Five per Cent for collecting the same which said Assessment shall
 be made Levied collected and paid in the same manner as herein-
 before by this act is directed which said Tobacco when so as afore-
 said Collected shall be paid by the Sheriff to the Order of such Trus-
 tees or the Major Part of them under their common seal who are
 hereby Authorised and required to receive and apply the same to
 and for the use benefit and charge of maintaining the Poor Vagrants
 Beggars Vagabonds and other Offenders in the Purchasing Pro-
 visions and other Necessaries for use and Labour for Paying a
 Doctor for his Salary and Medicines in providing men and women
 Servants to be under the management and direction of an overseer
 of such Alms and workhouse hereafter directed to be appointed
 and in Purchasing Materials for the use and Employment of all
 the Poor and all beggars Vagrants Vagabonds and other offenders
 who shall be able to work and who shall be committed by virtue of
 this Act.

[Trustees to appoint an Overseer & other Officers, &c.] And be it further Enacted the said Trustees or the Major Part of
 them shall and they are hereby Authorised Oblided Directed and
 enjoined to meet together between the first and Tenth of November
 Yearly and at all such other Times as they shall Judge necessary
 at the Alms and Work house in said County during the Continu-

ance of this Act to appoint a fit person to be overseer of the Alms and work house in the said County and other proper officers and Servants as to them shall appear necessary for carrying on the Business of the said Corporation and they or the Major Part of them shall and may agree and they are hereby empowered to pay the said overseer as a Salary out of the Tobacco and Money raised and collected as aforesaid a Sum not exceeding Eighty pounds Current Money per Annum and so pro Rato during his Continuance in Office and shall then take a Bond which the said overseer and every other overseer to be appointed shall and is hereby Obligated to enter into with Sufficient Sureties in the Penalty of Two Hundred pounds Current Money Payable to the said Trustees for the poor conditioned as follows to wit The Condition of the above Obligation is such that if the above bound A : B as overseer of the Alms and Work House in Talbot County shall well and truly discharge his duty in the said Station and more Particularly according to the directions of the Act of Assembly entitled an Act for the releif of the poor in Talbot County then the above Obligation to be void otherwise to remain in full force and Virtue in Law.

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[Overseer to enter into Bond, in Penalty of 200 l. Current Money.]
[The Condition.]

And be it further enacted That the said Trustees or the Major Part of them shall and they are hereby directed and impowered to remove such overseer and all other officers by them to be appointed in pursuance of this act at their Discretion and to choose others in their Place and stead.

[Trustees to remove the Overseer at their Discretion, &c.]

And be it further enacted that the said Trustees or the Major Part of them shall and they are hereby directed and enjoined to meet at the Alms and Work House, in said County four times in the Year in the first Week of January May August and November or oftener if it should by them be deemed Necessary to make and ordain by a Majority of Votes of such as may be present all such good and Wholesome Ordinances Rules and Bye Laws as they shall think convenient and necessary for the direction Government and support of such Alms and Work House and also for the Maintenance and Employment of all such poor Persons as shall be taken under their care and of all vagrants Beggars Vagabonds and other offenders that shall be committed thereto by Virtue of this Act all which Ordinances Rules and bye Laws shall be from Time to Time inviolably observed by all persons concerned according to the Tenor and Effect thereof

[And to make Ordinances, &c. for the Government and Support of the Alms & Work-House, &c.]

And be it further enacted that the said Overseer shall keep a fair and regular list of all poor and of all Beggars Vagrants Vagabonds and other Offenders who shall be committed to the said Alms and Work House and also fair and regular Accounts in writing of all Materials and other things coming to his hands as overseer aforesaid and of all expences and Charges attending their Maintenance and Support and of all Monies received by him for the sale of the

[Overseer to keep Lists of the Poor, &c. to be laid before the Trustees;]

Liber R. G. 1774 Produce of their Labour and otherwise as overseer aforesaid and shall lay the said Lists and Accounts before the Trustees or the Major Part of them at their meetings at the Times by this Act directed, or oftener if by them required

[And compel those to work who are able, &c.] And be it further enacted that the said overseer may compel and Oblidge any of the said Poor Beggars Vagrants and Vagabonds or other offenders in his Alms and work House if of Sufficient Ability to work and Labour and the Produce of their Labour he is hereby directed and empowered to sell and apply the Money arising from such sale to their Maintainance and Support.

p. 337 [Disorderly Persons to be committed to the Work-House, &c.] And be it further enacted That upon Complaint made that any person from his or her disorderly conduct gives disturbance to his or her neighbourhood and is likely to become chargeable to the said County it shall and may be Lawful for any one Magistrate of the said County if upon hearing the Party he shall adjudge the Complaint to be well founded to commit such disorderly Person residing within the said County to the said Work house for any Time not exceeding three Months unless he or she shall find security at the discretion of the Magistrate aforesaid in any sum not exceeding Twenty pounds Current Money for his or her good behaviour and more orderly demeanor during the space of six Months and also upon Complaint and due Proof made by the Overseer of said Alms and Work house to any one Justice that any Person in the said Work house hath behaved and demeaned him or herself in a disorderly manner or hath refused or neglected to do and perform his or her daily Labour and Task or hath refused or neglected to Obey keep and observe any of the Ordinances Rules and bye laws of the said Corporation to order and direct such moderate and Proper Corection not exceeding thirty nine Lashes for any One Offence to be given to such Offender as the Nature of the Case may require

[Trustees to direct what Poor shall be received.] And be it further enacted that it shall and may be Lawful to and for any of the said Trustees to direct and appoint under their hand in Writing what Poor shall be received into such Alms and Work-house and it shall and may be Lawful for any One Justice of the

[Justices to commit Rogues, &c. to hard Labour.] Peace for the said County and for any person authorised and appointed by such Justice to apprehend or cause to be apprehended and committed to the said Work house any Rogues Vagrants Vagabonds Beggars and other Idle dissolute and disorderly persons found loitering or residing in the said County who follow no Labour Trade Occupation or Business and have no visible means of Subsistence whereby to Acquire an Honest livelihood there to be kept at hard Labour for any Term not exceeding three Months and the overseer of such alms and work house is hereby required to receive into the said Alms and Work house any poor appointed as aforesaid to be received and any Rogue Vagarrant Vagabond Beggar and other Idle dissolute and disorderly Person so as aforesaid Committed

And be it further enacted That every Person who shall be received into the said Alms and Work house and there receive releif shall upon the Shoulder of the Right Sleeve of the Uppermost Garment of every such person in an open and visible manner wear such Badge or mark as is herein after Mentioned and Expressed That is to say with the Letter P. together with the first Letter of the Name of Talbot County cut either in red or Blue cloath as by the overseer of the poor shall be directed and appointed and if such poor person shall neglect or refuse to wear such Badge or mark as aforesaid and in manner as aforesaid it shall and may be lawful for any one of the Trustees aforesaid to Punish every such offender for every such offence either by ordering his or her releif or usual allowance to be abridged Suspended or withdrawn or otherwise by ordering such offender to be whipt not Exceeding Ten Lashes and kept to hard Labour for any Number of days not exceeding Twenty as to the said Trustee shall seem meet. And if any overseer of the poor shall receive into the said Alms and Work house or shall Support any such person not having and wearing such Badge or mark as aforesaid and be thereof Convicted upon the Oath of One or more credible Witness or Witnesses shall forfeit and pay the sum of Five pounds Current Money—

And be it further enacted That whosoever shall presume either to set up a Booth stall or other Convenience for the selling of Strong Liquors on the land purchased for the use of the said Alms or Work house or shall commit any kind of Trespass thereon or shall sell or dispose of any Strong Liquor or other Matter of thing whatsoever to any poor or other Person entertained in the said Alms and Work house shall for every such offence forfeit and pay the sum of Ten pounds Current Money

And be it further enacted that all and every the Pains Penalties and forfeitures herein before by this Act directed and Inflicted shall and may be recovered in the County Court of said County by Action of Debt founded on this Act or Indictment wherein no Essoin Protection or wager of Law or more than One Impar lance shall be allowed any thing in this Act herein before contained to the Contrary thereof in any Wise Notwithstanding one Moiety to the Informer the other Moiety to the use of the Alms and Work house of said County in which Action of Debt it shall be Sufficient for the Plaintiff to Alledge that the Defendant or Defendants are Indebted to the Plaintiff the Sums of Money or Tobacco by this Act directed and inflicted whereby the Plaintiffs Action accrued to him according to the form of this act of Assembly without seting forth the Special Matter Provided a Short note Expressing the Cause of action be lodged in the office at the Time of Issuing the writ

And be it further enacted That all sheriffs Bailiffs Constables and other officers and Ministers of Justice shall be aiding and assisting

Liber R. G.
1774
[Persons received into the Alms or Work-House to wear a Badge.]

[Punishment on Neglect or Refusal.]

p. 338

[Penalty on the Overseer receiving or relieving Persons without such Badge.]

[Penalty on Persons selling strong Liquors, &c. to the Poor or others entertained in the Alms or Work-House.]

[Penalties inflicted by this Act, how to be recovered.]

[Sheriffs, &c. to aid & assist the Trustees, &c.]

Liber R. G. to the said Trustees for the poor in the said County and to all such
 1774 Officers as shall be employed by them as by this Act is directed in
 the Execution and Performance of the said Service.

[Persons prosecuted in pursuance of this Act may plead the general Issue, &c.] And be it further enacted That if any person or persons shall at any Time or Times be sued or Prosecuted for any matter or thing by him or them done and executed in pursuance and Execution of this Act or of any Matter or thing in this Act contained such person or person shall and may Plead the General Issue and give this Act and the Special Matter in Evidence for his or their defence and if upon Trial a Verdict shall pass for the Defendant or Defendants or if the Plaintiff or Plaintiffs shall become non suited or discontinued his or their suit then such Defendant or Defendants shall have and recover Treble Costs to him or them awarded against such Plaintiff or Plaintiffs and if the Plaintiff or Plaintiffs is or are unable to satisfy the same then it shall be paid and Satisfied by the Attorney
 p. 339 who brought such Suit unless the Plaintiff or Plaintiffs shall give Security for the Costs to be approved of by the Court in which such suit is brought,

[Trustees to choose a new one yearly instead of the First named Trustee.] And to prevent Individuals being unreasonably burthened with the Execution of this Act as Trustees for the poor Be it enacted That at the Time of the meeting of the said Trustees for the Poor in the first week of January Yearly the said Trustees or the Major Part of them in the County aforesaid shall and may Elect and Choose one of the best Inhabitants of the same County to be a Trustee for the Poor of that County in the stead of the First named or Eldest of the said Trustees of the same County which said first Named or Oldest Trustee shall be and is by virtue hereof thence from discharged from his Office

By the Lower House of
 Assembly April 16.th 1774
 Read and assented to
 Signed by Order
 Jn.^o Duckett Cl. Lo. Ho
 34 sides

On Behalf of the Right
 Honourable the Lord
 Proprietary of this Province
 I Will this be a Law
 Rob.^t Eden.

By the Upper House of
 Assembly April 16.th 1774
 Read and Assented to
 Signed by Order
 James Brooks Cl. Up. Ho

the great seal
 in Wax appendant

No. 17 An Act confirming the Title of Lazarus Pumphy to the land therein
 Mentioned

[A private Act.] Whereas it appears to this General Assembly upon Examining into the Truth of the Several Facts set forth in the Petition of Lazarus Pumphy of Ann Arundel County that a Certain Silvanus Pumphy late of the said County deceased being in his life time seized in fee of and in a Tract of Land called Phantascoe lying and being in Ann Arundel County aforesaid and containing One Hundred Acres of land more or less some time in the Year of our Lord one Thousand seven Hundred and twenty Seven stipulated and

agreed with Lazarus Pumphy late of the County aforesaid also deceased (the father of the aforesaid Lazarus) for the absolute sale of the said Land for and in Consideration of the sum of Forty pounds Current Money to be paid the said Silvanus by the same Lazarus Pumphy the ffather, That in Consequence of the said agreement and the Actual Payment of the aforesaid Sum of Forty pounds by the said Lazarus the Father to the aforesaid Silvanus he the said Sylvanus passed and Executed his bond or Obligation at the above time to the Same Lazarus the ffather in the Penalty of Eighty pounds Current Money with Condition to be void on the conveying and making over unto the said Lazarus the ffather and his Heirs the aforesaid Tract of Land. That the said Lazarus Pumphy the ffather immediately upon the Execution of the said Obligation entered into the aforesaid Tract of land with the Consent and Approbation of the aforesaid Silvanus and continued in the Peaceable Possession thereof untill the time of his death That the same Lazarus the father departed this Life so seized and possessed as aforesaid on or about the Year of our Lord Seventeen hundred and Sixty Six having first made and Executed his last will and Testament in Writing in the Presence of three Credible Witnesses and thereby among other things devised as follows "Item I give and bequeath unto my two Sons Lazarus and Silvanus Pumphy all my tract of land called Phantascoe to be divided between them, to them their Heirs and Assigns forever nevertheless my will and mind is that my son Lazarus shall have forty Acres where he now lives. Item my will and mind is that my son Silvanus shall have the whole remaining part of my above said Tract of Land called Phantascoe including my now dwelling Plantation" That the aforesaid last will and Testament was regularly and legally proved and registered in the Prerogative office of this Province That the same Silvanus and Lazarus the Sons and devisees of the aforesaid Lazarus immediately upon the said Fathers Decease entered into their respective parts of the aforesaid Tract of Land devised to them as aforesaid and that the said Lazarus the son ever since hath held and still hath the peacable and uninterrupted Possession of the Part devised him as aforesaid That the said Sulvanus the devisee continued his Possession of the Part of the said Tract of Land so devised him as aforesaid without the least Molestation untill on or about the fourth day of November Seventeen Hundred and seventy two when he sold and conveyed the same (by deed legally executed acknowledged and recorded) for a Valuable consideration to the said Lazarus Pumphy the son and that ever since the said Conveyance the same Lazarus the son hath held and still continues Quietly to hold and enjoy the said part so conveyed to him as aforesaid by the said Silvanus the devisee that the aforesaid Sylvanus Pumphy the obligor shortly after passing the aforesaid bond to the said Lazarus the Father departed this

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p. 340

Liber R. G. Province and went into Carolina without having made and executed
 1774 a Conveyance of the aforesaid Land to the aforesaid Lazarus the
 Father agreeable to the Condition of the aforesaid obligation for
 that Purpose That the said Lazarus the son having lately discovered
 the above defect in his title sent the aforesaid Silvanus the devisee
 to carolina to Procure and obtain from Silvanus Pumphrey the eldest
 son and Heir at Law of the aforesaid Silvanus the Obligor (the
 said Silvanus the Heir at Law then and Still residing in Carolina)
 a proper Conveyance for the said Land agreeable to the Condition
 of the aforesaid Bond: That the same Silvanus the devisee for and
 on behalf of the said Lazarus the son applied to and procured
 from the said Sylvanus the Heir at Law a Deed for the Convey-
 ance of the aforesaid Land to the said Lazarus the son and his
 Heirs and at the same Time Cancelled and delivered up to the said
 Silvanus the Heir at Law the obligation aforesaid. That the said
 Lazarus the son received the said Deed of conveyance after the
 Execution thereof as aforesaid by the aforesaid Silvanus the Heir
 p. 341 at Law but the same deed not being Executed agreeable to the Laws
 of this Province was sent off again for Carolina to be fully and legally
 executed by the said Silvanus the Heir at Law and hath miscaried

And Whereas the same Lazarus the son hath represented to this
 General Assembly that he is desirous of selling and disposing of
 the aforesaid Land but is apprehensive that thro' want of a proper
 Conveyance from the aforesaid Silvanus the Obligor or his Heir at
 Law he cannot sell the same to such advantage as if his title in the
 same was not subject to that defect and that the Expence of sending
 to Carolina for another deed would be very Considerable And hath
 Prayed that an Act may Pass to invest him with the Same Estate
 Right and title in and to the aforesaid Tract of Land with the
 appurtenances As the same Silvanus Pumphry the obligor had and
 was seized of in the same at the time of Passing and executing the
 aforesaid Obligation

Be it therefore enacted by the Right Honourable the Lord Pro-
 prietary by and with the advice and consent of his Governor and the
 Upper and Lower houses of Assembly and the Authority of the
 same That he the same Lazarus Pumphry the Son his Heirs and
 Assigns shall be and is and are hereby declared to be vested with and
 seised and Possessed of and in the same Estate Right title and
 Interest of and in the aforesaid Tract of land and every part thereof
 with the appurtenances as fully amply and compleatly to all Intents
 and purposes as he the same Silvanus Pumphry the obligor had and
 was entitled to at the time of executing the Bond aforesaid to the
 aforesaid Lazarus Pumphry the ffather and as if a legal conveyance
 and assurance of the same Land with the appurtenances had been
 made and executed to the same Lazarus Pumphry the ffather his
 Heirs and Assigns by the same Silvanus Pumphry, the obligor in

pursuance of the Contract and agreement aforesaid and the Condition of the Obligation aforesaid so by him passed and Executed to the said Lazarus Pumphry the Father as aforesaid

Liber R.G.
1774

By the Lower House of
Assembly April 16th 1774
Read and assented to
Signed by Order
Jn.^o Duckett Cl lo Ho

On behalf of the Right
Honourable the Lord
Proprietary of this Province
I Will this be a Law
Rob.^t Eden

By the Upper House of
Assembly April 16th 1774
Read and Assented to
Signed by order
James Brooks
Cl. Up.^r Ho

12 sides

the great seal
in wax appendant

No. 18 A Supplementary Act to the Act entitled "An Act to prevent the Injuring Harbours within this province and for repealing the Act therein Mentioned"

p. 342

Whereas the purposes of the above recited Act have hitherto been rendered ineffectual by reason that offences against the said Act are generally committed by persons who are only temporary Residents within this Province and are not liable to be held to bail on any suit brought against them for breach of the said Act and in Case of recovery are not liable to pay the costs of suit, for remedy whereof for the future

[Preamble.]

Be it enacted by the Right Honourable the Lord Proprietary by And with the advice and consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same That in all Actions and Prosecutions hereafter to be commenced against any Person or Persons for unloading or casting out any Ballast contrary to the said Act it shall and may be Lawful for the Justices of the Court in which such Action or prosecution shall be commenced upon affidavit or other evidence of such offence given to the satisfaction of such Court to award Special bail or security as the case may require and in default of such Bail or security to Committ the Offender to the custody of the sherriff untill he shall put in such Bail or security as is usual in other cases any Law or usage to the Contrary notwithstanding

[In all
Actions to be
commenced
for Breach
of a former
Act, Justices
to award
special Bail,
&c.]

And be it further Enacted, that if a Verdict Pass against such Offender Judgment On Confession or by default be rendered against him the Plaintiff or Informer shall recover full costs

[Plaintiff to
recover full
Costs on
Judgment.]

By the Lower House of
Assembly April 16th 1774
Read and assented to
Signed by Order
Jn.^o Duckett Cl. Lo. Ho

On behalf of the Right
Honourable the Lord
Proprietary of this Province
I Will this be a Law
Rob.^t Eden

By the Upper House of
Assembly April 16th 1774
Read and assented to
Signed by Order
James Brooks
Cl. Up.^r Ho

4 sides

the great seal
in wax appendant

No. 19 An Act to empower the Justices of Somerset and Worcester Counties to levy on the Taxable Inhabitants of Coventry Parish in said Counties the Quantity of thirty two Thousand pounds of Tobacco for the uses therein mentioned.

Liber R. G. 1774 p. 343

[Preamble.] Whereas Sundry of the Inhabitants of Coventry Parish lying partly in Somerset and Partly in Worcester Counties have by their humble Petition to this General Assembly set forth that the said Parish is very extensive, That the Inhabitants of the said Parish residing on the East side of Pocomoke are very remote from any place of Public Worship and have prayed that an Act may pass to enable the Justices of Somerset and Worcester Counties to levy on the Taxable Inhabitants of Coventry Parish in Somerset and Worcester Counties a Quantity of Thirty two Thousand pounds of Tobacco at two equal Assessments for the purpose of purchasing a Lot of Ground at or near Stevens Ferry on the East side of Pocomoke in the said Parish and erecting and building thereon a Chapel of Ease in the said Parish

[Persons named to agree for Two Acres of Land, & treat with any Persons to build a Chapel of Ease.] Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower houses of Assembly and the Authority of the same That the Reverend Samuel Sloane Mess.^{rs} William Allen Thomas Bruff Joseph Scott and Major Thomas Hayward of Coventry Parish aforesaid which lies in Somerset and Worcester Counties aforesaid for the Time being or the Major Part of them be and are hereby Authorized empowered and required to purchase in ffee in the name of the Commissioners aforesaid of the said Parish for the Time being Two Acres of Land lying in Worcester County in the Parish aforesaid on the East side of Pokomoke and at or near Stevens's Ferry and to treat and agree with such person or persons as they or the Major Part of them shall think proper to employ and Build a Chapel of ease thereon for the use of the Inhabitants of the said Parish which said land when so purchased and the said Chapel when so built shall be and are hereby Declared to be constituted and deemed the land and Chapel of Ease of the said Parish and the said Chapel forever hereafter shall be supported and repaired at the charge of the said Parish

[Justices of Somerset & Worcester Counties to levy on the taxable Inhabitants of Coventry Parish, at Two equal Assessments, 32,000 lb. Tobacco:] And be it further enacted that for the Building of the said Chapel of ease on the East side of Pocomoke the Justices of Somerset and Worcester Counties for the Time being shall and they are hereby Authorised and impowered to Assess and Levy on the Taxable Inhabitants of the said Parish the Quantity of Thirty two Thousand pounds of Tobacco by two equal Assessments in the Years of Our Lord Seventeen hundred and seventy four and Seventeen hundred and Seventy five together with the Sheriffs Salary of Five per Cent for Collecting the same which said Asses[s]ments shall Respec-

tively be made by the Justices aforesaid in Proportion to the Taxable Inhabitants of the said Parish of Coventry residing in their several and respective Counties and shall be collected by the Sheriffs of Somerset and Worcester Counties from the several Taxable Persons of the said Parish who shall reside within their Counties; the said Quantities of Tobacco when so as aforesaid Collected shall be paid by such Sheriffs respectively to the Commissioners aforesaid who are hereby authorised to receive and apply the same to the uses aforesaid

Liber R. G.
1774

Provided always and be it further enacted that it shall and may be lawful for the several and respective Inhabitants of the Parish aforesaid to pay and discharge the said several Quantities of Tobacco so to be levied and raised for the uses aforesaid in Money in the same Manner as they are now enabled to pay and discharge the Public and County Levies every Clause Matter or thing herein to the Contrary Notwithstanding

[Which may
be discharged
in Money.]

p. 344

By the Lower house of
Assembly April 16.th 1774
Read and Assented to
Signed by order
Jn.^o Duckett Cl. Lo. Ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince I Will this be a Law
Rob.^t Eden

By the Upper house of
Assembly April 18.th 1774
Read and Assented to
Signed by Order
James Brooks
Cl. Up^r Ho

7 sides

the great seal
in wax appendant

No. 20 An Act Empowering John Done Sheriff of Worcester County to Execute for the Public Levy Deputy Commissarys and Attornies Fees

Whereas John Done Sherriff of Worcester County hath by his Petition to this General Assembly set forth that he was incapacitated by Sickness from delivering to the Inhabitants of the said County their respective Accounts for Public dues Deputy Commissarys and Attornies ffees within the time limitted and prescribed by Law and praying that an Act may pass enabling him to Execute for the same

[A private
Act.]

Be it therefore enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Governor and the Upper and lower houses of Assembly and the Authority of the same that the said John Done shall and may and he is hereby fully Authorised and empowered to Execute for the Public Levy Deputy Commissarys and Attornies Fees due from any of the Inhabitants of the said County and whereof Accounts have been heretofore delivered them in as ample Manner and as fully and effectually to all Intents and purposes as if Accounts of the same had been delivered on or before the twentieth day of February in this present

Liber R. G. Year any former Law to the Contrary thereof in anywise Not-
1774 withstanding

By the lower house of
Assembly April 18.th 1774
Read and assented to

Signed by order
Jn.^o Duckett Cl. Up.^r Ho

2½ sides

On Behalf of the Right
Honourable the Lord
Proprietary of this Province I Will this be a Law
Rob.^t Eden

By the Upper house of
Assembly April 18.th 1774
Read and Assented to

Signed by Order
James Brooks Cl up^r Ho

the great seal
in wax appendant

No. 21 An Act relating to the Public Roads in Ann Arundel, Baltimore, and
p. 345 Frederick Counties

[Preamble.] Whereas an improvement of the Principal market roads in the
said counties will render the intercourse and carriage between the
Parts of this Province distant from Navigation and the Places
from whence the produce of those parts are and may be most
conveniently exported much easier and Cheaper whereby Trade will
be encreased and the settlement cultivation and Improvement of lands
will be encouraged and promoted

[Part of the Bills of Credit appropriated for Loan to Anne-Arundel, Baltimore, & Frederick Counties, to be laid out in opening, straightening, &c. the Roads in said Counties.] Be it Enacted by the Right Honourable the Lord Proprietary
by and with the advice and consent of his Governor and the Upper
and lower Houses of Assembly and the Authority of the same that
Part of the Bills of Credit to be Emitted by virtue of the Act entitled
an Act for emitting bills of Credit and applying part thereof and
by the same act appropriated for loan to the Inhabitants of Ann
Arundel County as such not exceeding two Thousand dollars shall
be and are hereby appropriated for loan to [Ann] Arundel County
That Part of the Bills of Credit to be emitted by virtue of the same
Act and by the said Act appropriated for loan to the Inhabitants of
Baltimore County as such not Exceeding Ten Thousand Six hun-
dred and sixty Dollars and two Third parts of a Dollar shall be
and are hereby Appropriated for loan to Baltimore County and that
Part of the Bills of Credit to be emitted by virtue of the said Act and
by the same act appropriated for loan to the Inhabitants of Frederick
County as such not exceeding eight Thousand Dollars shall be and
are hereby appropriated for loan to Frederick County and shall be
laid out and expended in opening Streightning widening repairing
and putting in good Order the roads herein after mentioned that is to
say the road leading from the Mouth of Conegochiage creek to
Frederick Town crossing the Southmountain, at the gapp commonly
called Turners Gap, the road from Haggars Town to intersect the
said Road at or near the Western side of the South mountain the
road from Frederick Town leading by Dowden's to Georgetown a
Road from the mouth of Watts's branch to George Town aforesaid
the road from Fredrick Town leading over Rue's ford on Monocasy
and crossing Patuxint river at Green's bridge to Annapolis the road
from Fredrick Town leading over the said ford on Monocasy and

crossing Potapsco at or near hoods Mill to Baltimore Town a road leading from the Catoctin mountain through the Pipe creek settlement by roysters to Baltimore Town aforesaid the road from Baltimore town to the Province line in a Streight direction to York the road from Roysters Hanover as far as the Province line,

Liber R. G.
1774

and be it enacted that the said Roads above Fredrick Town shall be in one district whereof Andrew Rench Jacob Sharah and George Swingle shall be Supervisors and on the same roads two Thousand of the said Dollars before appropriated for loan to Fredrick County or such Part thereof as may be necessary shall and may be expended That part of the same road from Frederick Town to George town lying between Frederick town and Senaca shall be in one district whereof Charles Griffith John Beall and Henry Fout shall be supervisors and whereon twelve Hundred of the said Dollars before appropriated for loan to Fredrick County or such Part thereof as may be necessary shall and may be Expended and That the residue of the same road and also that leading from the Mouth of Watts's branch to George Town shall be in one other district whereof Jacob Funk Thomas Johns and Joseph West shall be Supervisors and whereon Two Thousand of the said Dollars before appropriated for loan to Frederick County or such Part thereof as may be necessary shall and may be expended, That such parts of the said Roads leading from Fredrick Town to Annapolis and From Fredrick town to Baltimore Town as are or shall be in Frederick County shall be in one other district whereof Peter Hoffman Thomas Beaty and Henry Griffith junior shall be Supervisors and on the said Parts of the same roads one Thousand Eight Hundred of the said Dollars before appropriated for loan for Frederick County or such part thereof as may be necessary shall and may be expended that such Part of the said Road leading from the Catoctin mountain through the Pipe Creek settlement to Baltimore town as is or shall be in Frederick County shall be in One district whereof Normand Bruce David Shriver and Benjamin Ogle shall be supervisors and whereon One Thousand of the said Dollars so appropriated for loan to Frederick County or such Part thereof as may be necessary shall and may be expended that such Part of the said Road leading from Fredrick Town to Baltimore Town as is or shall be in Ann Arundel County and also such part of the said road leading from Frederick Town to Annapolis as lies between the branch of Patuxent on which Greens bridge stands And Annapolis shall be in One district whereof Henry Ridgley Thomas Dorsey senior and John Hood Junior shall be Supervisors and whereon the Money before appropriated for loan to ann Arundel County or such part thereof as may be necessary shall and may be Expended The road leading from Baltimore Town to Fredrick Town by or near Hoods mill which shall be in Baltimore County shall be in One district whereof Isaac

[The different Districts ascertained, & Supervisors Appointed.]

p. 346

Liber R. G. Greist Zachariah M.^cCubbins senior and Benjamin Wells senior
 1774 shall be supervisors and whereon Sixteen hundred of the said Dollars before appropriated for Loan for Baltimore County or such Part thereof as may be necessary shall and may be expended That such part of the said Road as leads from Baltimore Town to the Province line in a Streight direction to York shall be in one other district whereof Benjamin Griffith James Gittings and Nicholas Merryman shall be supervisors and on the said Part of the same road four Thousand of the said Dollars before appropriated for loan to Baltimore County or such Part thereof as may be necessary shall be expended the road leading from Baltimore Town to Roysters shall be in one other district whereof Alexander Wells Samuel Owengs junior and Jesse Hottingsworth shall be Supervisors and on the said Part of the same road twenty four hundred of the said Dollars before appropriated for loan to Baltimore County or such part thereof as may be Necessary shall and may be expended the Road leading from Roysters towards Hanover as far as the Provincial line shall be in One other district whereof Richard Richards Samuel Worthington and Nathan Cromwell shall be supervisors and on the said Part of the same Road sixteen hundred dollars before appropriated for loan to Baltimore County or such part thereof as may be necessary shall and may be expended That such part of the road leading from Roysters through the Pipe Creek Settlement to the Catoctin mountain as shall be in Baltimore County shall be in
 p. 346a one other district whereof Doctor John Craddock Mordecai Hammond and Christopher Owing shall be supervisors and on the said part of the same road One Thousand Sixty six dollars and two thirds Parts of a Dollar of the said dollars before appropriated for loan to Baltimore County or such part thereof as may be necessary shall and may be expended

[Super-
visors to
straighten or
change the
Roads, and
cause them
to be cleared,
&c.]

And be it further Enacted that the said Supervisors or any two of them in their respective districts aforesaid are hereby empowered to Streighten or otherwise change the said Roads in such places and Manner as to them shall appear most convenient for carriage not going in or through any Building Yard Garden or Orchard without the License and consent of the Proprietor and Possessor thereof, and the said Supervisors or any two of them in their respective districts aforesaid may and shall cause all the said Roads so to be made and continued Public Roads by virtue of this Act to be well cleared grubbed and stoned forty feet wide except the said Road leading to Annapolis which shall be cleared grubbed and stoned as aforesaid thirty feet wide and shall cause necessary Bridges and Causeys to be made and convenient Trenches and Ditches to be cut for draining and heading off the Water from the said Roads and shall also cause large posts to be well set up in the Middle of the said Road from Watts's Branch to George town or untill it inter-

sects the said Road leading from Fredrick Town to George Town in Sight of and not exceeding One Hundred Yards distance from each other

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Provided always and be it enacted that if the said Supervisors or any two of them shall deem it necessary and that it would greatly conduce to lessening the distance that the Road should pass through any improved ground in their respective districts (Buildings Yards Gardens and Orchards excepted) in such case the same Supervisors or any two of them may agree with the owners for the Purchase of Forty feet or thirty feet in Breadth as the case may require thro the same not exceeding the rate of Sixty Dollars Per Mile and in case the owner or owners of such land shall refuse to make sale thereof at a reasonable Price or lie under any disability of making such sale then the said Supervisors or any two of them may and they are hereby Authorised and required to Issue their Warrant to the Sheriff of their County commanding him to summon and return a Jury of the best and most Substantial Freeholders not less than twelve inhabitants of the said County to be and appear before the said Supervisors on the Premises at a Certain day in the said Warrant expressed which Jury upon their Oath to be administered by any one of the said supervisors who is hereby Authorized to administer the same shall enquire who is or are the owner or owners of the land and what damages such owner or owners will sustain by occasion of carrying the said Road through such improved ground and the said supervisors shall return the inquest of the Jury or a Certificate of the sum to be paid by agreement to the Justices of their County who shall assess and levy the Money agreed to be paid or by the Jurors assessed at the Time of laying their next County Levy on the Taxable Inhabitants of their County to and for the use of the Owner of the said land together with the sherriffs Salary of five per Cent for collection which said Assessment the sherriff shall Collect and levy in the same manner and at the same rate as the County Levy may by law be collected and may be paid and discharged at the same rate in Money as the County Levy and the said Sheriff shall be Answerable for and pay the same to the owner and owners of such Land,

[Proviso, in Case of the Road's passing through improved Ground;]

p. 346b

[Or Fields in actual Cultivation.]

Provided always and be it enacted that where by agreement and consent or otherwise any of the said Roads shall be carried in other Places than they now Pass through Fields and grounds in Actual cultivation that such field or grounds shall not be laid open or used as a Public Road 'till after the usual Time of taking off and securing the Crop then growing thereon and to enable the said Supervisors to accomplish the said work they or any two of them are hereby impowered in and for their respective districts aforesaid after they shall have carefully Surveyed the said Roads and agreed on the necessary alterations therein either to employ Labourors to do the

[Supervisors to employ Labourers or contract with others to do the Work, and draw their Orders on the Commissioners for emitting Bills of Credit for the Money to be expended, &c.]

Liber R. G. said Work or to contract with others to do the work aforesaid on
 1774 Convenient Parts of the said Roads and the Supervisors of the respective districts aforesaid or any two of them are also impowered at any Time or Times before the first day of January next to draw their order or orders on the Commissioners for emitting Bills of Credit for the Money hereinbefore directed to be expended, in their respective District or such part thereof as may be necessary and the same to dispose of and expend in and towards the necessary expences of the work aforesaid and the Commissioners aforesaid shall pay the same and therewith Charge the County to which the same shall be so lent

[And may use such Timber, &c. in the same Manner as Overseers of public Roads.] And be it Enacted that the supervisors aforesaid or any of them or any Person Contracting with them or any two of them or by them or any two of them in any Manner employed in or for doing the said Work may respectively use such Timber and Materials in and for doing the said work as overseers of Public Roads or Highways may or might by Law Use the same and if any Supervisor or any Person contracting with them or any two of them or by them or any two of them in any Manner employed in and for doing the said Work shall be fined or impleaded for anything done in pursuance of this Act he may plead the General Issue and give this Act and the Special Matter in Evidence in Justification—

[In Case of the Death of Supervisors, or Refusal to act, others to be appointed.] And be it further enacted That if any one of the said Supervisors shall happen to die before the work aforesaid shall be accomplish or shall refuse to Act the two other Supervisors of the Same district shall and may appoint another person in his Stead and if the Supervisors for any District or any two of them shall refuse to Act Then any three of the Justices of the Peace for the County in which such District shall be shall and may by Warrant under their hands and Seals appoint three or two other persons as the Case may require in their Stead

[Supervisors to render to the General Assembly Accounts of Monies expended.] And be it also enacted that the Supervisors aforesaid shall render to the General Assembly at the Session next after the Expenditure of any of the said Monies and also to the County Court which shall be held for their respective County a True full and fair Account of all Monies by them respectively laid out and Expended by Virtue of this Act and to whom and for what the same shall have been paid and Expended

[Sheriffs to collect in Anne-Arundel 4 lb. in Baltimore 12 lb. & in Frederick Counties, 8 lb. of Tobacco, yearly, from each of the taxable Inhabitants of their respective Counties ;] and for the Repayment of the said Bills of Credit so to be lent and issued to the said Counties together with Interest thereon at the Rate of four Per Cent by the Year Be it enacted that each and every of the Taxable Inhabitants of the said Counties respectively shall untill the whole of the Bills of Credit so to be lent and issued to their said respective County with Interest thereon as aforesaid and also the Sherriffs Salary of five Per Cent for Collection thereof are fully raised on the same Taxables Yearly and every Year pay to the

Sheriff of their respective County four pounds of Tobacco in Ann Arundel County, twelve pounds of Tobacco in Baltimore County, and Eight pounds of Tobacco in Frederick County in Tobacco or Money within the Times and in the Manner that the Public and County Levies are payable the first of which payments to be made in the Year Seventeen Hundred and seventy five and the Sherriffs aforesaid may and shall collect and levy of and from the Taxable inhabitants of their respective Counties distrain and Execute for the same in like manner as they may Collect and levy distrain and Execute for the Public or County levy and each of the said Sheriffs shall after deducting his Commission for collection Pay what Money shall remain of the said Tax in his respective County for each respective Year to the Commissioners aforesaid on or before the first day of October in each Year which Payments shall be placed by the Commissioners aforesaid to the Credit of such County in the first Place to sink the interest due on the Money drawn out in Virtue of this Act by such County and in the next Place towards the discharge of the Principal so far as the same will extend and when the whole of the Principal lent to any of the said Counties shall be paid in with the Interest as aforesaid the said Commissioners shall thereof give Notice to the Sheriff of the respective County and then there shall be no farther Years Tax by Virtue of the Act in that County

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1774

[And after deducting Commission pay the same to the Commissioners aforesaid.]

And be it enacted that if either of the said Sheriffs shall not make such payment within the Time limited the Commissioners aforesaid shall and may within thirty days thereafter prosecute a writ of Scire facias against him and his sureties on his Office Bond in like manner as they may do on bonds taken by them on the loan of Money and shall recover the like Judgment and have the like Execution and on such proceedings the same Sheriff shall be chargeable with and Pay Intrest at the rate of ffour Per Cent by the Year from the Time he ought to have paid the Money aforesaid untill he shall actually pay the same

[Sheriffs not making Payment, their Office Bonds liable, as on Bonds taken on the Loan of Money.]

And be it further enacted that if any of the Taxable Inhabitants aforesaid Shall pay the said Tax in Tobacco then the Sherriff who receives the same shall on the second day of August Court next thereafter for his County sell the same in open Court for the Benefit of his County and shall in his Account with the said County be allowed Yearly for all Insolvent Taxes in his County from whom the said Tax cannot be collected as well as for those Taxes who Actually Pay in Tobacco and shall be charged and chargeable in the same account with the Price for which the Tobacco aforesaid shall be sold by him and shall at the November Court next after his last collection account for and pay to the Justices of his County for the use of the said County the Surplus of the said Tax remaining after payment of the Principal and Interest as aforesaid

[Sheriffs to sell Tobacco received in Payment in open Court, and be allowed for insolvent Taxes.]

p. 347

Liber R. G. And be it Enacted that after the said roads shall be finished
 1774 as aforesaid they shall be and are hereby declared Public Roads
 [Roads when finished to be public Roads.] and no Waggon or other Carriage of Burthen the Tread of each of
 [No Carriage of Burthen, where the Tread of each Wheel doth not exceed Five Inches, to be drawn on any Part of the Road leading from *Watts's* Branch to the Northward of the Posts, under Pen-
 alty, &c.] the Wheels whereof doth not exceed five Inches shall under any pretence whatsoever be drawn upon any of that part of the said Road leading from Watts's Branch which Shall lie to the Northward of the Posts aforesaid unless barely and necessarily to cross the same under the Penalty of Twenty Shillings Current Money for every Offence to be levied by distress to be made of any one of the Cattle used for drawing the said Waggon or other Carriage within Twenty ffour hours after the Offence Committed by any ffree-holder within the County where the Offence shall be committed who will distrain for the same by his own use and sale of such Beast at any time not less than three or more than seven days after such distress made and if any Person shall be Beat or Assaulted for making or attempting to make any such distress or assisting to do the same the offence for which distress may be made having been Actually Committed every person being guilty of such beating or assault shall be liable to the Action of the Party beaten or Assaulted in which shall be recovered if the same Shall be brought in Debt on this Act Twenty pounds Current Money besides such Damages as shall be assessed by the Jury who shall try the same with full costs to and for the use of the Party beaten or assaulted

[Overseer of the Roads and Taxables in the several Hundreds of *Anne-Arundel & Frederick* Counties, to use their Endeavours for the Repair of said Roads, & shall be chargeable to work thereon not exceeding 6 Days in any one Year.] And Whereas the other Public Roads in the said Counties of Ann Arundel and Frederick are very much out of order and in the Present Method of amending and repairing them the Burthen of the little Labour performed thereon falls very unequally on the People for remedy whereof and also to provide for keeping the Public Roads in the said Counties in repair Be it enacted that the overseer of the Public Roads together with the Taxable Inhabitants of the respective hundreds in the same Counties shall at proper seasons in every Year for Seven Years next ensuing and untill the end of the next Session of Assembly which shall happen after the end of the said Seven Years use their Endeavours for the repair of the said Roads and shall be Chargeable to Labour and Work thereon so many days as Shall be necessary not exceeding six days in any one Year and every such Taxable Inhabitant shall have and bring with him a Spade Shovel Pick Mattock Grubbing hoe Hilling Hoe Crow Barr or Sledge hammer or instead thereof if particularly required an Axe and shall diligently perform the Work and Labour to which he shall be appointed by the overseer aforesaid for eight Hours in every of the said Days with the said Tools

p. 348
 [Proviso.] Provided always that any such taxable Inhabitant as aforesaid or any Person chargeable for any Male Taxable may employ and send an able and Sufficient Labouring man in his stead or the stead of any Male taxable for whom he is Chargeable and shall be obliged

to send one able and Sufficient Labouring man in the stead of each female Negro Taxable for whom he shall be chargeable

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And be it further enacted that the overseer aforesaid shall fairly and impartially warn and employ the Taxables within their respective Hundreds in turn and on the Most convenient Parts of the Public Roads and where one and the same person shall have or be chargeable with more than one Tax he or she shall not be obliged to send more than one half of the whole Number of his or her taxables in the same hundred on the same day and in Consideration of the Extraordinary Personal trouble of the overseers all the Taxables of each overseer within the district of which he shall be overseer shall be exempt from Labour or attendance on the Public Roads

[Taxables to be employed in Turn, and Persons chargeable with more than one to send only one Half on the same Day, &c.]

And be it further enacted that if any of the said Overseers shall after the first day of July next Voluntarily suffer any Public Road in his District to be out of repair by the space of Ten days together or shall neglect to clear and well Grubb any such Road he shall incur the Penalty inflicted by Law on overseers for neglecting to Clear the Roads and the same Penalty may be recovered before any one Justice of the Peace of the County in which he resides one half thereof to the use of the County towards defraying the Charge thereof and the other half to the use of such Person who will Inform or Warrant for the same

[Overseers neglecting to clear the Roads to incur the Penalty inflicted by Law.]

By the Lower House of
Assembly April 18th 1774
Read and Assented to
Signed by order
John Duckett Cl. Lo Ho

On behalf of the Right
Honourable the Lord
Proprietary of this Province
I Will this be a Law
Rob.^t Eden

By the Upper House of
Assembly April 18th 1774
Read and assented to
Signed by order
James Brooks
Cl. Up.^r Ho

37½ sides

the great seal
in wax appendant

No. 22 An Act for the Releif of certain languishing Prisoners in the several Jails therein Mentioned p. 349

Whereas Aquila Carr John Curtis John Dunn, Joseph Ashmead Benjamin Robertson, Robert Bowens, James Elkins, William Miller, Walter Fowler William Lee John Pearce, Mathew M.^cCormich, John Pearsons, Peter Siggaser, Jacob Hart, Joseph Barron, Dorothy Rollings, John Elerman, Joseph Roddy, George Shake, Adam Roerbough, Philip Miller, John Smithson, Francis Sheilds, John Filby James Bowers, John Clerk, William Hopson, Christian Napple, James M^cBath Jacob Raybolt John Fitzmorris, John Chaffey, Mathew Mason, William Moore John Dea John George Williams, Thomas Smith, Elizabeth Carr, Mark McLaughlin John McCann, John Linney Edward King John Spellman, Thomas Bready Patrick Higgins Sarah Lobly Patrick Henesy Daniel Shawan Charles Babington Alexander Montgomery, Benjamin Wallace, Simon Jordan, John

[Preamble, with the Names of the Prisoners relieved.]

Liber R. G. McNabb, of Baltimore County, John Smith, Samuel Dobie, John
 1774 Ringer, John Brown Jesse Alvey, Nicholas Annsbaugh, Benjamin
 Nichols, George Walker of Frederick County Thomas Carney,
 James Hardy, William Amer, William Sears Mark Fowler Samuel
 Hawkins, Bayne, William Barker, Mathew Pape, Nicholas Nichol-
 son John Brashears the third William Beck of Prince Georges
 County Joseph Higgins Edward Knowles, Richard Grace, Richard
 Dean, Francis Hepburn of Ann Arundel County, Lenard Field
 Thomas Caywood, John Williams, Basil Patterson Silvester Strange
 Moses White, Henry Fletcher, Mathew Boroughs, Basil Thompson,
 Thomas Tryer, of Saint Marys County, Thomas Glover Marshall
 Griffith of Calvert County Thomas Barnes of Baltimore County
 Edward Davis, Isaac Green Charles Fullerton George Taylor of
 Sommerset County James Barance, William Grayham, John Thomas,
 Unicy Williams, James Underwood of Dorchester County John
 Field, Rhodes Clerk, Moses Guttry of Worcester County John Bryan,
 Abner Jones, Thomas Sparks, James Crann of Queen Anns County
 John Smallwood, Thomas Coffey, Joseph Hagan, Alexander M.^cPher-
 son, Mathew Coffey, Benjamin Gardiner of Charles County John
 Burkett of Cecil County by their Petitions to this present General
 Assembly have set forth that they have respectively continued Pris-
 oners for Debt in the Custody of the Sheriffs of the respective Coun-
 ties aforesaid for a Considerable Time past and still Continue in the
 like deplorable Circumstances not being able to redeem their Bodies
 with all the estate or Interest they have in the World which they
 p. 350 would readily surrender up and part with to their several and re-
 spective Creditors if they would accept of the same and grant the
 said Petitioners their Liberty which Seems so unlikely for them to
 obtain that (unless relieved by a particular Act to be passed in their
 favour which by their said Petitions they have humbly Prayed)
 they must inevitably continue Prisoners for life and as the allega-
 tions of the said Petitioners appear to this General Assembly to be
 true and that their lying in Jail can be of no Advantage to their
 Creditors it is humbly Prayed that the said Petitioners may be re-
 lieved according to their Prayers and that it may be enacted

[Prisoners to be dis-
 charged on
 delivering
 up their
 Effects on
 Oath.] And be it Enacted by the Right Honourable the Lord Proprietary
 by and with the advice and Consent of his Governor and the upper
 and Lower Houses of Assembly and the Authority of the same
 That in case the said Prisoners shall deliver up and Surrender or
 cause to be delivered up and surrendered to the Sheriff of their re-
 spective Counties aforesaid in the Presence of Two Justices of the
 Peace of the Counties aforesaid whom the said Sheriffs are hereby
 required to Summon at the request of the said Prisoners at some
 convenient Time after the end of this Session of Assembly all their
 real and Personal Estate either in Possession reversion remainder
 or in Trust or in or unto which they have any Claim or interest

whatsoever and likewise Convey Assign Transfer and make over unto the Sheriffs respectively for the use of the said Creditors all such their Estate, Interest or Claim as aforesaid after such manner as by the said Sheriffs and by the Major Part of such Creditors or such of them as shall think fit to direct therein or their Counsel Learned in the Law shall reasonably devise or require at the Costs and Charges of the Persons who shall claim benefit thereof so that the said Prisoners be not burthened with any Warrantes thereby other than against themselves or those claiming by from or under them and that the said Prisoners at the Time of such their Surrender and transferring their Estate as aforesaid shall take their Solemn Oaths (or Affirmation if Quaker) before the said two Justices aforesaid to the Effect following Viz.^t I. A. B. do affirm or solemnly Swear That the Goods Debts and Effects which I have delivered assigned and made over to the Sherriff of _____ County in Trust for the use of my Creditors is the whole Estate both real and Personal of my own in Possession or that I have to my knowledge any title to in the World and that I have not any Estate Goods or Effects of any kind whatsoever left either in Possession Reversion or Remainder the necessary wearing Apparel of myself Wife and Children And working tooles excepted and that I have not directly or Indirectly sold, Leased or otherwise conveyed disposed of or intrusted all or any part of my Estate thereby to defraud my Creditors or to secure the same to receive or expect any Profit or advantage thereof so help me God" it shall and may be lawful for the Sheriffs of the Counties aforesaid to discharge the said Prisoners and suffer them to go at Large.

Liber R. G.
1774

[The oath.]

p. 351

And be it enacted that if the said Prisoners or any of them shall be arrested or imprisoned on any Process sued out on any Judgment sued out or decree obtained against any of them for any Debt Damages or costs contracted owing or growing due before the end of this Session of Assembly the Court out of which such Process issued shall and may discharge such Prisoner on Motion and if the said Prisoners or any of them shall be arrested or imprisoned on any process for the Recovery of any debt Damages or Costs Contracted owing or growing due before the end of this Session of Assembly the Court or Justice before whom such Process shall be returned shall and may discharge the Party Arrested out of Custody on his or her common appearance being entered without any special Bail Provided that the discharge of the said Prisoners or any of them shall not acquit any other person from such debt. Damage or cost or any part thereof but that all such persons shall be answerable for the same in such manner as they were before the Passing of this Act

[To be discharged from future Arrests on Appearance, &c.]

Provided always and be it enacted that notwithstanding the discharge of the said prisoners or any of them all and every debt or debts due and owing from him her or them and all and every Judg-

[Debts to stand good in Case, &c.]

Liber R. G. 1774 ment had or decree obtained against him her or them shall stand and be good and effectual in Law to all intents and purposes against the lands Tenements and Hereditaments Goods and Chattles of him her or them and which he She or They or any other Person in trust for the use of him her or them had at the Time of the discharge of the said Prisoners or any of them or which he she or they at any Time hereafter shall or may be any way seized or Possessed of or interested in to his her or their own use or in his her or their own Proper right either in Law or Equity except the wearing apparel Bedding and working tooles of him her or them not exceeding the sum of Ten pounds Current Money and it shall and may be Lawful for any of their Creditors their Executors Administrators or assigns to take out new Execution or Executions without any Scire facias Previous thereto against the Lands Tenements or other hereditaments Goods and Chattels of the said Prisoners or any of them (except as before excepted) for the Satisfaction of his her or their Debts in such sort Manner and form as he she or they might have done if the said Prisoners or any of them had not been taken in Execution or discharged by virtue of this Act

[Actions of Escape.] and be it further Enacted by the Authority aforesaid that if any Action of Escape be brought against any Sheriff or any Suit or p. 352 Action against any Justice or Justices for their performing their duty in Pursuance of this Act he or they may plead the General Issue and give this Act and the Special Matter in evidence and if the Plaintiff be non suit or discontinued his Action or Verdict pass against such Plaintiff or Judgment upon Demurer the Defendant shall have and recover double Costs

[Proviso, as to Escape.] Provided also that nothing in this Act shall extend or be constructed to extend to barr any Creditor or Creditors of the before mentioned Prisoners from having and Maintaining any Action of Escape against any sheriff who hath permitted any escape before the making this Act

[In Case of Perjury.] Provided nevertheless that in case any of the said Prisoners shall at any Time after making such oath or affirmation as aforesaid be convict of willful and corrupt Perjury thereupon or of a willful breach or non compliance with the Tenor of such Oath or Affirmation as afforesaid that then the said prisoner shall upon such Conviction as aforesaid be wholly deprived of any benefit intended to him her or them by this Act and shall ffrom thenceforth be liable to be prosecuted for any debt or demands whatsoever in the same Manner as if this Act had never been made any thing to the Contrary notwithstanding

[Sheriff's Fees to be First paid.] Provided also that the respective Sheriffs of the Counties aforesaid shall be first payed and Satisfied for their Imprisonment fees before any Creditor or Creditors shall have or receive any share or part of the Estates of the said Prisoners respectively or of the Produce thereof

And be it further enacted that after Public Notice given by Advertizement set up at the Court house door of the County thirty days at y^e: least of the sale of any of the said Prisoners lands and five days at the least of the sale of the said Prisoners other Estate the said Sheriffs to whom any of the said Estates real or personal shall be surrendered and delivered up in pursuance of this Act shall set up and expose such estates to sale by way of Public vendue in the Presence of One Justice of the Peace and the produce arising by such sale shall be by the said Sheriffs in Manner following paid and Satisfied that is to say after satisfaction of the aforesaid Imprisonment Fees that the estate and Interest of the aforesaid Prisoners respectively upon which their Judgment Creditors or any claiming or that shall Claim under them by Assignment or otherwise have or shall have any Lien on the Produce thereof shall be in the first Place after Satisfaction of the Sheriffs as aforesaid applied to the discharge of the said Creditors according to the order and Priority of their Judgments and the Lien arising therefrom and that the residue of the Estate and Interest of the said Prisoners respectively or the Produce thereof shall be distributed among all their Creditors that shall apply therefor within thirty days after the aforesaid sale in equal proportions to their demands

Liber R. G.
1774.
[Notice to
be given of
the Sale of
the Prison-
ers Estates,
&c.]

And be it further Enacted that all the Accounts, Bonds, Notes and other Demands which any of the said Prisoners have against any Person or Persons whatsoever shall be by the said Prisoner or Prisoners assigned to the Sherriff in whose Custody such Prisoner or Prisoners shall be at the Time of their discharge and that such Sheriffs or Sheriffs shall and may maintain an Action or Actions on such demands as Assignee of such Prisoner or Prisoners in his own name Provided always that such Creditor or Creditors require and demand such Sheriff to sue and give to such Sheriff a Bond to indemnify him against any charge that may accrue to him by means of any such suit and in case of recovery that then the Sheriff make distribution of what shall be recovered to the Person or Persons giving him such Security as aforesaid

p. 353
[Bonds, &c.
belonging to
the Prison-
ers, to be
assigned to
the Sheriff.]

And be it further Enacted by the Authority aforesaid that if any of the persons intended to be releived by this act are and shall be of Sufficient ability of body to Labour such person or persons not having a wife or family shall be and are hereby oblidge to serve for a Time not exceeding five Years to any person or persons who are or shall be inclined to purchase the Time of servitude of such Debtor or Debtors and that the respective Sheriffs in whose Custody the aforesaid Debtors or any of them are be and are hereby Authorised and oblidge to summon two Justices of the Peace in the respective Counties at the request of the said Prisoners as soon as conveniently may be after the end of this Session of Assembly and after giving five days Notice at the Court Houses of the respective Counties of the intended sale of

[Prisoner,
if single, to
be sold for
Five Years.]

Liber R. G. such Debtor or Debtors expose to sale in the Presence of the said Jus-
 1774 tices such Debtor or Debtors and the Time of his or their Servitude to
 the Highest bidder and the Money arising from such sale shall be
 as effects of such Debtor or Debtors in the hands of the respective
 Sherriffs Subject as aforesaid to a Distribution in Manner afore-
 said and the sale and service of such Debtor or Debtors as aforesaid
 is hereby directed to be taken as full and sufficient Acquital and dis-
 charge against all debts due from such debtor or debtors before
 such sale Provided that in Case it shall appear to the Satisfaction
 of the said Justices that any of the said debtors have offered since
 their Confinement to make Satisfaction to their Creditors by servi-
 tude and that their Creditors have refused to accept the same that
 the Time such debtors have been Confined in Prison shall be deemed
 and taken as Part of the aforesaid five Years and that they shall be
 oblided to serve only for such time as will compleat five Years from
 the day of such Offer of Servitude and that in case any such Single
 Persons as aforesaid have been confined in Prison for five Years
 or any longer Time that the said Persons so confined shall be dis-
 charged upon the same Terms and in the same Manner that Persons
 having Families are by this Act directed to be discharged

[Proviso.] Provided always that this Act shall not extend to the discharging
 of any Person or Persons hereinbefore Mentioned from his her or
 their Imprisonment for or by Reason of any Criminal Matter what-
 soever any thing herein Contained to the Contrary Notwithstanding.

By the lower house of
 Assembly April 18.th 1774
 Read and Assented to
 Signed by Order
 Jn.^o Duckett Cl. Lo Ho.

On Behalf of the Right
 Honourable the Lord
 Proprietary of this Prov-
 ince I Will this be a Law
 Rob.^t Eden.

By the Upper House of
 Assembly April 18.th 1774
 Read & assented to
 Signed by order
 James Brooks
 Cl. Up.^r Ho.

20½ sides

the great seal
 in wax appendant

No. 23 An Act for the regulating the Gauging of Casks in the Town of
 p. 354 Baltimore

[Preamble.] Whereas Great abuses are daily committed in the Buying and
 Selling of Wine Rum and other Liquid Merchandizes in dispor-
 tionable Casks in Baltimore Town which have been usually gauged
 by the diagonal which is known not to be an exact Rule to find the
 Contents of a disproportionable cask and the Persons selling such
 commodities commonly refusing to Submit to any other Method or
 Rule of Gauging the Purchaser is thereby imposed Upon and often
 Suffers great Loss in want of Just Measure for the redress of
 which abuse for the future in the Town aforesaid

[Persons not to sell any Cask of liquid Mer-
 chandize before the Gauger shall have marked on the Head the full Con-
 tents, under Penalty.] Be it enacted by the Right Honourable the Lord Proprietary by
 and with the advice and consent of his Governor & the Upper and
 Lower houses of Assembly And the Authority of the same that if

any Merchant or other Person whatsoever shall sell or put to sale any Butt Tun, Pipe hogshead Barrell or other Cask of Rum wine Molasses or other Liquid Merchandize imported brought into or made in the said Town before the Gauger hereafter Mentioned or his Deputy shall have Plainly and Truly set down or marked upon the Head of such Vessel the Capacity and full Contents of the same according to the Standard and Excise of wine Measure by the Gallon each person or persons shall forfeit for the uses directed in this Act the sum of Eight Pounds Current Money for every cask so sold or put to sale

Liber R. G.
1774

And be it enacted that if any Merchant or other person shall sell or put to sale any Such Rum Wine Molasses or other Liquid Merchandizes as aforesaid in the said Town of Baltimore in any Cask or Vessel having the Number of Gallons set down and marked on the head of such Vessel and the same shall be found to lack of the Contents marked on the said Vessel such Person shall forfeit and pay to the uses directed in this Act the sum of eight Shillings Current Money for every Gallon marked or Numbered on the said Cash more than it will truly Contain

[Penalty on Persons putting to Sale such Merchandize when the Cask shall be found to lack of the Contents marked.]

and to the end that all Persons dealing in such Merchandize may the More easily and readily [be] informed and assisted in discovering the True Quantity of such liquid Merchandize so imported brought into or made in the said Town Be it further Enacted that the Person who shall be appointed gauger of wine Rum Molasses and other Liquid merchandizes in the town aforesaid by the Commissioners of Baltimore town aforesaid for the Time being or the Major Part of them which Commissioners or the Major Part of them are hereby empowered to appoint such Gauger and him remove and another in his stead appoint the said Gauger [()] before he enters upon his said Office having having taken an Oath or Affirmation if a Quaker well and truly to execute the Office of Gauger in said Town between buyer and seller) is hereby impowered by himself or his Proper Deputy or assistant to gauge all such rum Wine Molasses or other Liquid merchandize Imported brought or put in any Butt Tun Pipe Hogshead Barrell or other Cask in the said Town when he the said Gauger or his Deputy shall be thereunto required And that they shall mark and set down the true Number of Gallons according to the English Standard and Excise of Wine Measure which each cask or Vessel will truly contain with their own Mark all which Casks with their true marks and Numbers and owners Names shall be Entered in a Book or Books to be kept for that purpose by the said Gauger or his Proper deputy to which recourse may be had as occasion may require for a Copy of whih entry they shall receive three pence common money and for each cask so by them Gauged and marked they shall receive the sum of fourpence Common

[Gauger to be appointed by the Commissioners of Baltimore-Town.]

p-355

Liber R. G. Money and no more And if any cask or other Vessel gauged and
 1774 marked by the said Gauger, or his lawful deputy shall be found
 lacking one or more Gallons of the Quantity Numbered or marked
 on the said cask or Vessel the aforesaid Gauger shall forfeit eight
 Shillings Current Money for each Gallon lacking or exceeding the
 Number or Mark so set down on each Cask

[Penalties,
 how to be
 recovered
 and applied.]

And be it further enacted that all and every the Penalties and
 forfeitures in and by this act set and appointed shall be applied one
 half toward defraying the County charge and the other half to the
 Informer or him or them that will sue or warrant for the same
 if the said penalties do not exceed fifty Shillings Current Money
 to be recovered before One Justice of the Peace as in Case of Small
 Debts and if above fifty Shillings to be sued for and recovered in
 any Court of Record within this Province

[Continu-
 ance.]

This Act to Continue three Years and to the end of the next Session
 of Assembly which shall happen there After.

By the lower House of
 Assembly April 19.th 1774
 Read & Assented to
 Signed by Order
 Jn.^o Duckett Cl. Lo. Ho
 8½ sides

On behalf of the Right
 Honourable the Lord
 Proprietary of this Pro-
 vince I Will this be a Law
 Rob.^t Eden

By the Upper house of
 Assembly April 19.th 1774
 Read and Assented to
 Signed by order
 James Brooks Cl Up^r Ho

the great Seal
 in wax appendant

No. 24 An Act for the Payment of Public Creditors

p. 356
 [Commis-
 sioners for
 emitting
 Bills of
 Credit to
 deliver to the
 Persons
 allowed by
 the Public,
 the Sums
 ascertained
 by the
 Journal of
 Accounts.]

Be it Enacted by the Right Honourable the Lord Proprietary
 by and with the advice and consent of his Governor and the Upper
 and Lower Houses of Assembly and the Authority of the same
 That of the Bills of credit emitted or to be emitted by virtue of the
 act Entitled an Act for Emitting Bills of Credit and applying Part
 thereof, the Commissioners for emitting Bills of Credit shall and
 they are hereby authorised and required to Deliver out of the Eighty
 Thousand Dollars, to be emitted by virtue of the said Act for the
 Purposes therein Particularly mentioned and for such other Pur-
 poses as should be appointed by Act of the General Assembly to the
 several Persons their Executors, Administrators Assigns or Orders
 who are allowed by the Publick or to such of them as shall offer to
 receive the same the Value according to the Rate of one Dollar and
 two third parts of a Dollar for every Hundred pounds of Tobacco
 and according to the Rate of Seven Shillings and Six pence in
 Money allowed to them respectively as they appear to be allowed
 stated and ascertained by the Journal of Accounts assented to this
 present Session by both Houses of Assembly

[Allowance
 to the Com-
 missioners
 and their
 Clerk for
 their
 Trouble.]

and for the trouble of the said Commissioners and their Clerk
 in the Payment of Publick Creditors Be it Enacted that the said
 Commissioners shall be allowed out of the said Eighty Thousand

Dollars for their Service and trouble to M.^r John Clapham two Hundred Dollars and to M.^r William Eddis One Hundred Dollars and the Clerk of the said Commissioners shall be allowed two Hundred Dollars out of the said Eighty Thousand Dollars for his Service and trouble and for the service and trouble of M.^r Robert Couden one of the late Commissioners there shall be allowed and payed to him out of the Same Eighty Thousand Dollars the Number of One Hundred Dollars

Liber R. G.
1774

By the Lower house of
Assembly April 19.th 1774
Read and Assented to
Signed by order
Jn.^o Duckett Cl. Lo. Ho

On Behalf of the Right
Honourable the Lord
Proprietary of this Pro-
vince I Will this be a Law
Rob.^t Eden

By the Upper house of
Assembly April 19.th 1774
Read and Assented to
Signed by order
James Brooks Cl. Up.^r Ho

4½ sides

the great Seal
in wax appendant

No. 25 An Act requiring the Justices of Somerset County to appoint Persons to lay out a Road in said County p. 357

Whereas it is represented to this General Assembly that the Road leading to the Free School in Somerset County is very inconvenient to the Visitors Scholars and others to go to Said School from Worcester County therefore Pray an Act may pass for a Road to be laid out from said School to Denstons Dams through the forest which will make said Road much more convenient to the Visitors Scholars &c. [Preamble.]

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower houses of Assembly and the Authority of the same that the Justices of Somerset County shall and they are hereby required at their next Court to appoint an overseer for (and cause to be laid out well grubed and Cleared) a Publick Road through the Forrest to intersect the main Road Leading from Princess Ann to Snow Hill at or near a Place called Denstons Dams not runing the same Road through any Improved or Cultivated land without the Consent of the owner or owners thereof the said Road to be cleared repaired and kept in the same manner as other Publick Roads are or have been Cleared repaired or kept in Order. [Justices of Somerset County to appoint an Overseer to lay out a Road, &c.]

By the Lower House of
Assembly April 19.th 1774
Read and Assented to
Signed by Order
Jn.^o Duckett Cl. Lo. Ho

On Behalf of the Right
Honourable the Lord
Proprietary of this Pro-
vince I Will this be a Law
Rob.^t Eden

By the Upper house of
Assembly April 19.th 1774
Read and Assented to
Signed by order
James Brooks Cl. Up.^r Ho

3 sides

the great Seal
in Wax appendant

No. 26 An Act for the releif of Henry Gassaway

Whereas Henry Gassaway of Ann Arundel County by his Humble Petition to this General Assembly hath set forth that he is Indebted p. 358

Liber R. G. in very Considerable sums of Money much more than he is able to
 [A ¹⁷⁷⁴ private pay that he now stands committed to the Sheriff of Ann Arundel
 Act.] County for the want of Special Bail That Executions against his
 person are obtained and now lie in the County office and Prayed this
 General Assembly to Pass a Bill for his releif that on delivering up
 all his Estate to his Creditors his person may be free from any arrest
 for any Debts now due which this General Assembly hath been
 Pleased to Grant

Be it therefore Enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that in Case the said Henry Gassaway shall deliver up and surrender or cause to be delivered up and Surrendered to the Sheriff of Ann Arundel County aforesaid in the Presence of two Justices of the Peace of the County aforesaid whom the said Sheriff is hereby required to summon at the request of the said Henry Gassaway at some convenient Time after the End this Session of Assembly all his real and personal Estate either in possession reversion remainder or in trust or in or unto which he hath any claim or interest whatsoever and likewise convey, assign transfer, and make over unto the said Sheriff for the use of his Creditors all such his Estate Interest or Claim as aforesaid after such manner as by the said Sheriff and by the Major Part of his Creditors or such of them as shall think fit to direct therein or their Counsel Learned in the Law shall reasonably devise or require at the cost and charge of the Persons who shall claim benefit thereof so that the said Henry Gassaway be not burthened with any Warrantee thereby other than against himself or those claiming by from or under him and that the said Henry Gassaway at the time of such his Surrender and transferring his Estate as aforesaid shall take the following Oath before the said two Justices Viz.^t “I Henry Gassaway do solemnly swear that the goods, debts and effects which I have delivered, assigned and made over to the Sheriff of Ann Arundel County in Trust for the use of my Creditors is the whole Estate both real and personal of my own in Possession or that I have any title to in the World and that I have not any Estate Goods or Effects of any kind whatsoever left either in Possession Reversion or remainder (the necessary apparel of myself Wife and Children excepted) and that I have not directly or indirectly sold leased or otherwise conveyed disposed of or intrusted all or any part of my Estate thereby to defraud my Creditors or to secure the same to receive or expect any Profit or advantage thereof so help me God” It shall and may be Lawful for the Sheriff of the County aforesaid to discharge the said Henry Gassaway and Suffer him to go at large

p. 359

And be it further Enacted that if the said Henry Gassaway shall be arrested or imprisoned or any Process sued out on Judgment

or decree obtained against him for any debt damages or costs contracted owing or growing due before the end of this Session of Assembly the court out of which such Process issued shall and may discharge the said Henry Gassaway on Motion and if the said Henry Gassaway shall be arrested or imprisoned or any Process for the recovery of any debt damages or costs contracted or growing due before the end of this Session of assembly the Court or Justice before whom such Process shall be returned shall and may discharge the said Henry Gassaway out of Custody on his Common appearance being entered without any Special Bail

Liber R. G.
1774

Provided that the discharge of the said Henry Gassaway shall not acquit any other Person from such Debt Damages or Cost or any part thereof but that all such Persons shall be Answerable for the same in such manner as they were before the Passing this act

Provided always and be it Enacted that notwithstanding the discharge of the said Henry Gassaway all and every debt or debts due and owing from him and all and every Judgment had or decree obtained against him shall stand and be good and Effectual in Law to all intents and Purposes against the land Tenements and Hereditaments goods and Chattels of him the said Henry Gassaway and which he or any other person in trust for the use of him the said Henry Gassaway had at the Time of the discharge of the said Henry Gassaway or which he at any Time hereafter shall or may be any ways seized or Possessed of or interested in to his own use or in his own Proper right either in Law or Equity by descent, devise bequest, Gift or in a Cause of Distribution (except the wearing apparel of him his wife and Children not exceeding twenty four pounds current Money) and it shall and may be lawfull for any of his Creditors their Executors Administrators or Assigns to take out new Execution or Executions without any Scire facias previous thereto against him—the lands Tenements or other Hereditaments Goods or Chattels of the said Henry Gassaway by descent, Devise, bequest, Gift or in a Course of distribution (except as before excepted) for the Satisfaction of his her or their Debts in such sort manner and form as he she or they might have done if the said Henry Gassaway had not been taken in Execution or discharged by Virtue of this Act

And be it further Enacted that if any Action of Escape be brought against the Sheriff or any Suit or Action against any Justice or Justices for their Performing their duty in Pursuance of this Act he or they may plead the general Issue and give this Act and the Special Matter in Evidence and if the Plaintiff be non suit or discontinue his Action or Verdict pass against such Plaintiff or Judgment upon demurer the defendant shall have and recover Double Costs Provided also that nothing in this act shall extend or be construed to extend to bar any Creditor or Creditors of the before men-

p. 360

Liber R. G. tioned Henry Gassaway from having and maintaining any Action of
 1774 Escape against any Sheriff who hath Permitted any escape before the making this act Provided nevertheless that in Case the said Henry Gassaway shall at any time after making such Oath as aforesaid be convict of wilful and corrupt perjury thereupon or of a wilful Breach or noncompliance with the Tenor of such Oath as aforesaid that then the said Henry Gassaway shall Upon such Conviction as aforesaid be wholly deprived of any Benefit intended to him by this Act and shall from thenceforth be Liable to be prosecuted for any debt or demands whatsoever in the same manner as if this Act had never been made anything to the Contrary notwithstanding.

And be it further Enacted that after Publick Notice given by Advertisements set up at the Court house Door of the County thirty days at the least of the sale of any of the said Henry Gassaway his lands and five days at the least of the Sale of any of the said Henry Gassaway his other Estate the said Sheriff to whom any of the said Estate Real or Personal shall be surrendered and delivered up in Pursuance of this Act shall set up and Expose such estate to sale by way of Public Vendue in the Presence of One Justice of the Peace and the Produce arising by such sale shall be by the said Sheriff in Manner following paid 'and Satisfied That is to say after Satisfaction of Imprisonment Fees that the Estate and Interest of the aforesaid Henry Gassaway upon which his Judgment Creditors or any Claiming or that shall claim under them by Assignment or otherwise have or shall have any Lien or the Produce thereof shall be in the first Place after Satisfaction of the Sheriff as aforesaid be applied to the discharge of the said Creditors according to the Order and Priority of Judgments and the Lein arising therefrom and that the residue of the Estate and Interest of the said Henry Gassaway or the Produce thereof shall be distributed among all his Creditors that shall apply therefor within thirty days after the aforesaid sale in equal proportion to their demands

And be it further Enacted that all the accounts Bonds Notes and other demands which the said Henry Gassaway hath against any person or persons whatsoever shall be by the said Henry Gassaway assigned to the Sheriff of the County aforesaid at the Time of his Discharge and that the said Sheriff shall and may maintain an Action or actions on such demands as Assignee of the said Henry Gassaway in his own Name Provided always that Such Creditor or Creditors require and demand the said Sheriff to sue and give to the said Sheriff a Bond to indemnify him against any Charge that may accrue to him by means of any such Suit and in Case of Recovery that then the Sheriff of the County aforesaid make dis-

tribution of what shall be recovered to the Person or Persons giving him such Security as aforesaid. Liber R. G.
1774

By the lower House of Assembly April 19 th 1774 Read and Assented to Signed by order Jno. Duckett Cl. Lo Ho 15½ sides	}	On behalf of the Right Honourable the Lord Proprietary of this Pro- vince I Will this be a Law Robert Eden	{	By the Upper House of Assembly April 19 th 1774 Read and Assented to Signed by Order James Brooks Cl. Up ^r Ho
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the great seal
in wax appendant

No. 27 An Act to prevent the Erecting of Booths and Sale of Liquors on Holydays p. 362

Whereas the Erecting of Booths and other Conveniences for the entertainment of idle people on Easter and Whitsun Holydays hath of late been much practised and Crouds of Servants, Slaves and others are Collected at such Places and there furnished and made drunk with Strong Liquors sold and distributed to all persons indifferently where by Vice and Licentiousness is occasioned and Promoted and the Masters of such Servants and Slaves are very much Prejudiced to remedy which Evils for the future [Preamble.]

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and Consent of his Governor and the Upper and Lower Houses of Assembly and the Authority of the same that no Person or persons whatsoever shall after the End of this Session of Assembly on either of the Holy days commonly called Easter and Whitsun Mondays and Tuesdays sell or offer or Expose to sale any Rum Cyder or Other spiritous or Strong Liquor mixed or unmixed in any other Place than the House or Place of the Person selling the same in which the seller hath usually for at least one Month next before sold such kind of Spiritious or Strong Liquor nor shall any person Errect any booth or other Convenience on his own land or else where or give License for the Erecting of or with his or her knowledge permit any Booth or other Convenience to be erected on his or her land or on any Land in his or her Possession for the Purpose of selling or in any Manner distributing any such Liquor mixed or unmixed on any or either of the said Holydays under the Penalty of forty Shillings Current Money for every such offence to be recovered before any one Justice of the Peace of the County wherein the offence shall be committed one half to the Informer or him or her who will Prosecute for the same and the other Half to the Use of the same County towards defraying the Charge thereof [Persons not to sell strong Liquors or erect Booths on Easter or Whitsun Mondays & Tuesdays, &c.]

And be it enacted to all Booths and other Conveniencies erected or set up Contrary to this Act shall be and are hereby declared to be Public Nuisances and it shall and may be Lawful for any Person to abate Pull down and destroy the same and to Seize all Liquors exposed or kept for sale in or at any such Booth or other Con- [Booths set up contrary to this Act may be pulled down & Liquors seized.]

Liber R. G. 1774
 venience on any of the said days together with the Vessels which Contain the same Liquors and the Property thereof shall be vested by such Seizure in such person who shall Seize the Same

p. 363
 [Meetings of
 Servants or
 Slaves in or
 near Booths,
 unlawful,
 &c.]
 and be it Enacted that all Assemblings and Meetings of Servants or Slaves at any booth or other Convenience as aforesaid on any of the said days shall be and is hereby declared to be unlawful and if any Servant or Slave shall be found drinking or loitring in or near any such booth or other Convenience on any of the said days it shall and may be Lawful for any Person to whip such Servant or slave not exceeding twenty Stripes, and if any Constable shall know or be informed that any such booth or other Convenience as aforesaid is erected within his Hundred contrary to this Act such Constable shall forthwith repair thereto and with Assistance if necessary pull down abate and destroy the same and it is hereby declared to be the duty of all Justices of the Peace Sheriffs Coroners Deputy Sherriffs and Constables to cause all booths and other Conveniencies erected contrary to this Act to be pulled down and destroyed and all persons whatsoever who shall be called on for that purpose by any of the said Officers shall and are hereby required to assist such officer therein and if any person shall be sued for anything done in Execution of this Act the Person sued may plead the General Issue and give this act and the Special Matter in Evidence,

[Justices,
 &c. to cause
 such Booths
 to be pulled
 down.]

Continu-
 ance.] This Act to continue Three Years and to the end of the next Session of Assembly which shall hapen after the end of the said Three Years

By the Lower House of
 Assembly April 19th 1774
 Read and Assented to
 Signed by order
 Jn^o Duckett Cl. Lo. Ho
 7 sides

On behalf of the Right
 Honourable the Lord
 Proprietary of this Pro-
 vince I Will this be a Law
 Rob.^t Eden

By the Upper House of
 Assembly April 19th 1774
 Read and Assented to
 Signed by order
 James Brooks Cl. Up.^r Ho

the great seal
 in wax appendant

No. 28 An Act for the releif of Insolvent Debtors

p. 364
 [Persons
 remaining in
 Prison 20
 Days after
 Commit-
 ment, to
 petition 3
 Justices for
 their Dis-
 charge, &c.]

Be it Enacted by the Right Honourable the Lord Proprietary by and with the advice and consent of his Governor and the Upper and lower houses of assembly and the authority of the same That if any person who shall after the first day of October next be committed or charged in Execution or for want of Special Bail at any time after he or she shall have actually remained in Prison by the space of Twenty days on such Commitment or charge shall Petition any three Justices of the Peace of the County wherein such Prisoner shall be detained as aforesaid for his or her discharge such Justices shall thereupon appoint a Time for their meeting not less than thirty days nor exceeding Forty days thereafter at the Court House for said County or Jail in which he or she shall be so detained for his or her discharge

and their said appointment shall Certify in writing to the Sheriff in whose Custody he or she shall be and the same Sheriff shall Twenty days at the Least before the Time appointed for the said meeting affix one copy of the said Certificate at the door of the County Clerks office and another Copy thereof at the Prison door of his County at which said day so to be appointed the said Justices or two of them as well as the Sheriff are required to attend at the Court House or Prison aforesaid and the Sheriff shall produce the body of such Prisoner before the Justices who shall attend and also make known to the same Justices the Cause or Causes of his or her Imprisonment and the Time he or she hath been actually Imprisoned under such Committment as aforesaid And if it shall appear to the said Justices who shall attend that such Person hath been actually Imprisoned as aforesaid and it doth not appear to them or any two of them from the Cause or Causes of his or her imprisonment or by the allegation upon Oath of the Creditors or some of the Creditors of the said Prisoner that the whole of the debts due and owing from him or her amount together to two Hundred pounds Sterling Money or the Value thereof then such Prisoner may deliver to the said Sherrieff a Schedule of his or her whole Estate Debts and Credits and also deliver to the said Justice attending a Duplicate thereof which Schedule and Duplicate shall be Subscribed by such Prisoner before the same Justices who shall thereto Subscribe as Witnesses and the Same Justices or any two of them shall thereupon at the request of such prisoner administer to him or her the following Oath or Affirmation if a Quaker that is to say "I. A. B. do affirm or Solemnly swear that the Schedule which I have delivered to the Sherrieff of

County doth contain a full Account to the best of my knowledge and remembrance of my whole Estate both real and Personal or that I have any title to or interest in and of all debts. Credits and Effects whatsoever which I or any in trust for me have or at the time of my Petition had or am or was in any respect intituled to in Possession Remainder or Reversion and that I have not directly or indirectly at any Time since my Imprisonment or before Sold Leased, or otherwise conveyed disposed of or intrusted all or any Part of my Estate Goods Stock Money or Debts thereby to defraud my Creditors or to Secure the same to Receive or expect any Profit or advantage thereof so help me God which said Duplicate shall be by the said Justices transmitted to the Clerk of their County Court to be by him preserved in his office for the better information of the Creditors of such Prisoner.

And be it enacted that all the real and Personal Estate of such Prisoner either in Possession reversion Remainder or in Trust for him or her or in or unto which he or she has any Claim or interest whatsoever or which in any manner may can or might be subjected to the Payment or Satisfaction of Creditors and also all causes of

Liber R. G.
1774

[Prisoners, whose Debts do not amount to more than £.200 sterling, to deliver a Schedule of their Estate, &c. on Oath.]

p. 365

[Such Estate, &c. to be vested in the Sheriff, who is to sell the same, and apply it towards Satisfaction of the Creditors, &c.]

Liber R. G. Action whatsoever of such Prisoner other than for Trespasses on his
 1774 Person or for Slander shall be vested in the Sherriff aforesaid and
 Such Sheriff is hereby authorized impowered and required to sell
 and Convey the said Lands Tenements and Hereditaments for such
 Estate use Interest Right or Title as aforesaid and also the said
 Goods and Chattels to any Person or persons whatsoever for the
 best Price that can be got for the same upon a Public Sale whereof
 Notice shall be given by advertisement set up at the Court House
 door and other Public Places of the County where such lands Tene-
 ments Hereditaments Goods or Chattels shall lye or be found twenty
 days at Least before such Sale and the Balance of the Money arising
 by such sale after deducting the sum of One Shilling and four
 pence Current Money for each day he shall keep such Prisoner in
 his Jail and find him or her Victuals and also Seven and an half
 Per Cent for his trouble in the sale and Conveyance of the Prisoners
 Estate as aforesaid shall apply in Manner following that is to say the
 Produce of that Part of the Estate and Interest of the said Prisoner
 upon which his or her Creditors by Judgments if any or any Claim-
 ing or who shall or may Claim under them who have or shall have
 any Lien by Assignment of such Judgment or otherwise shall pay
 in or towards Satisfaction of the said Creditors, according to the
 order and Priority of their Judgments or their Lien thereon and the
 residue of the said Balance shall pay and distribute among all the
 Creditors of such Prisoner, who shall apply therefor within thirty
 days after the aforesaid Sale in Equal Proportion to thir Demands
 early notice of such Design being Previously given by Advertise-
 ments set up at the most Publick Places of the County where such
 Debtor resides and likewise in the Maryland Gazette and such Sheriff
 shall and may maintain an Action as Assignee of such Prisoner in
 his own name on and for any such cause of action as aforesaid
 Provided that no Judgment hereafter to be rendered against any
 Person applying to be discharged as aforesaid nor any Process
 thereon shall create any Lien on the lands Goods or Chattels of such
 Person whereby the Creditor obtaining such Judgment shall or may
 have any Priority in the distribution of the Money arising from the
 sale of such Lands Goods or Chattels to be distributed as aforesaid

[Judgments,
 if any, to
 have Pri-
 ority, &c.]
 P. 366

[Proviso.] Provided always that before such Sheriff shall be obliged to Sue
 in any such Action the Creditor or Creditors requiring the same shall
 give a bond to such Sheriff to Indemnify him against any charge
 that may accrue to him by means of any such Suit and in case of
 recovery and receipt of the debt or Damages then the said Sheriff
 shall make distribution of what shall be recovered and received to
 the Person or persons giving him such Security rateable and in Pro-
 portion to their respective demands saving to such Prisoner his or her
 necessary apparel and the utensills of Trade not exceeding in the
 whole the Value of five pounds Current Money to be adjudged and
 Ascertained by the said Justices

Provided also that before any Suit shall be brought by any Sheriff aforesaid Notice shall be given thereof in the Maryland Gazette for four weeks Successively in order that all the Creditors of such Prisoner may have an opportunity if they shall think fit of joining in the request aforesaid to and indemnification of the said sheriff and thereby entitled to receive rateably what shall be recovered and the Time from discharge of such Prisoner as aforesaid 'till such suit shall be brought shall not be affected by any act for limitation of actions Provided such suit be commenced within one Year from the Time of such discharge and the Creditors who shall apply and receive any Sum or sums of Money of the Sheriff as aforesaid shall refund and pay rateably to such other Creditors as shall apply for the same thereafter the Debt or Debts due from such Prisoner to him her or them so that the said last mentioned Creditors may receive and be paid in Equal proportion to his her or their demands and in Case such Prisoner as aforesaid shall be liable on a future Breach of a Contract by him or her made or entered into before his or her discharge the Person or persons who shall be Entitled as a Creditor or Creditors of such Prisoner under such Breach of Contract shall have and receive his or her Satisfaction rateably of the Creditors who shall have received the whole or a proportion of the Debts due to them on such distribution as aforesaid, and to prevent Persons who may be committed or Charged in Execution or for want of special Bail from laying in Prison untill they have spent their Substance wherewith they should Satisfy their Creditors and afterwards taking the benefit of this Act when they have nothing left to deliver up to their Creditors no person who shall be so committed or Charged from and after the Expiration of this present Session of Assembly shall be allowed or permitted to Exhibit a Petition for the Purpose aforesaid unless such Petition shall be exhibited within Sixty days after his or her Committment or be charged in Execution or for want of Special Bail

Liber R. G.
1774
[Before any
Suit shall
be brought,
Notice to be
given in the
Maryland
Gazette, &c.]

p. 367

[Persons
prevented
from spend-
ing their
Substance in
Jail.]

And be it enacted that after delivering in Such Schedule and duplicate and taken such Oath or Affirmation and transmission as aforesaid the said Justices attending or two of them shall by their order in writing Command the Sheriff forthwith to set at Liberty Such Prisoner which Order shall be sufficient to discharge and indemnify such Sheriff against any Escape or Action whatsoever which shall or may be brought or Prosecuted against him by reason thereof and if any Action shall be Commenced against any Sheriff or Justice for performing his duty in pursuance of this act he may Plead the General Issue and give this Act and the Special matter in Evidence

[Prisoners
to be set at
Liberty after
delivering a
Schedule and
taking the
Oath.]

Provided always that notwithstanding such discharge it shall and may be Lawfull for any Creditor or Creditors at whose suit such insolvent Prisoner was Imprisoned at any time afterwards to Sue out a writ of fieri facias or Attachment against any lands or Tenements

p. 368.
[Proviso.]

Liber R. G. Goods or Chattles with such Insolvent Person shall thereafter
1774 acquire or be possessed of by discent Gift devise Bequest or in a
Course of Distribution on any Judgment obtained against such
Prisoner without Previously prosecuting any writ of Scire facias
whereby the Balance only remaining due on such Judgment shall
be levied.

[To be dis- And be it enacted that if the said Prisoner shall be arrested or
charge from imprisoned on any process sued out on any Judgment or decree
future Ar- obtained against him or her for any debt damages or Costs con-
rests, on tracted owing or growing due before his or her discharge as afore-
Appearance, said the Court out of which such Process issued shall and may
&c.] discharge such Prisoner on Motion and if the said Prisoner shall be
arrested or imprisoned on any process for the recovery of any debt
Damages or costs contracted owing or growing due before his or
her discharge as aforesaid the Court or Justice before whom such
Process shall be returned shall and may discharge the Party arrested
out of Custody on his or her Common appearance being entered
without any Special Bail Provided that the discharge of the said
Prisoner shall not acquit any other person from such debt damages
or cost or any Part thereof but that all such persons shall be answer-
able for the same in such manner as they were before the Passing
this act

[Proviso, in Provided always that in case any Creditor or Creditors of Such
Case any Prisoner shall on the day appointed for the discharge of the same
Creditor Prisoner appear at the Prison or Court House aforesaid before the
shall allege said Justices before the same Prisoner is discharged and shall
such Pris- alledge that such Prisoner hath either directly or indirectly sold
oner has lessend or otherwise disposed of in trust or concealed all or any
concealed Part of his lands Money Goods Stock Debts Securities Contracts
Part of his Estate to defraud his Creditors.] or Estate whereby to secure the same to receive or expect any Profit
or Advantage thereof or to deceive or defraud any Creditor or Cred-
itors to whom such Prisoner is or shall be indebted and shall also
p. 369 enter into a bond to such Prisoner in the Penalty of Fifty pounds
Current Money with Such Surety or Sureties as the said Justices
or any two of them shall approve conditioned to pay and satisfy all
damages and costs such Prisoner shall sustain or be put to by reason
of such Creditor or Creditors objecting against the said Prisoners
discharge and the same allegation being determined and adjudged
against the said Obligor and shall Lodge the said bond with the said
Justices then such Justices shall not grant any discharge of such
Prisoner but shall wholly stay any further Proceedings in order
thereto and return the said bond to their next County Court the
second day of the Sitting thereof at farthest And the Justices of
the County Court aforesaid shall and may hear and determine in a
Summary way such allegation of the Creditor or Creditors and if
the same shall be determined by the s.^d Court against such Prisoner

then the same Prisoner shall have no aid or benefit of this Act and Judgment shall pass against him or her for Costs But if the determination of the Justices of the County Court on such Allegation shall be against Such Creditor or Creditors then the Prisoner or Prisoners aforesaid shall by the said Court be immediately discharged on his or her making Subscribing and delivering in open Court Such Schedule and Duplicate as aforesaid and there taking such Oath or affirmation as aforesaid and all his or her Estate shall thereupon be invested in the Sheriff sold and disposed of and applied as if he or she had been discharged by the said three Justices or any two of them and it shall and may be Lawful for the said Justices of the County Court to ascertain and determine the Quantum of the Damages if any that the Prisoner hath Sustained by reason of the false allegation of such Creditor or Creditors and thereupon Adjudge the same with Costs to the Prisoner Provided such damages and costs shall not exceed the Penalty of the said bond And to the End that the truth may be the better inquired into It is enacted that the Justices of the County Court aforesaid may at such Time or times as they see Proper order Sheriff to bring the body of any Prisoner against whose discharge such objection shall be made as aforesaid before the same Court and the same Prisoner again Remand to prison and may appoint such Time as they shall see fit for the Trial of the Issue to be joined as aforesaid which is hereby required to be with as little delay as may be.

Liber R. G.
1774

And be it thereby declared and Enacted that the Damages and Costs so to be recovered by any Prisoner as aforesaid shall not be vested in the Sheriff or in anywise subjected to the Benefit of any Creditor or Creditors

[Damages & Costs not to be vested in the Sheriff, &c.]
p. 370

And be it Enacted that any person who shall take the Oath or Affirmation by this Act directed and shall upon Indictment be convict of Perjury or of willfully and corruptly affirming any Matter or Thing therein contained such Persons shall suffer as in Cases of wilful and corrupt Perjury and likewise be liable to be taken on process de novo and Charged in Execution for his or her debts and shall never after have the benefit of this Act

[Persons convicted of Perjury to suffer as in Cases of wilful & corrupt Perjury, &c.]

This Act to Commence on the first day of October next and Continue in force for three Years from that day and to the end of the next Session of Assembly which shall happen after the End of the said three Years.

By the Lower House of
Assembly April 19.th 1774
Read and Assented to
Signed by order
Jn.^o Duckett Cl. Lo. Ho

On Behalf of the Right
Honourable the Lord
Proprietary of this Province I Will this be a Law
Rob.^t Eden

By the Upper House of
Assembly April 19.th 1774
Read and Assented to
Signed by order
James Brooks Cl. Up^r Ho

the great seal
in wax appendant

Liber R. G. I do hereby Certify that Reverdy Ghiselin Clerk of the Provincial
 1774 Court and Secretarys office of the Province of Maryland this day
 Personally appeared before me the Subscriber one of his Lordships
 the Right Honourable the Lord Proprietary of the Province afore-
 said his Counsel of State and made Oath on the Holly Evangels of
 Almighty God that he carefully Examined all the Laws contained in
 this Book from folio 317 to folio 370 with the Original Acts that
 Passed the Great Seal

Sworn to this 23.rd day of August 1774

Before Geo: Steuart



The Seal of the Provincial Court is hereunto Affixed
 on behalf of Daniel Dulany Esquire Secretary of Mary-
 land, by

Reverdy Ghiselin Clerk of the Provincial Court
 and Secretarys Office

APPENDIX

APPENDIX I

(1)

[SEE INTRODUCTION.]

By the House of Burgesses, Friday March 12.th 1773.

Whereas the Minds of his Majesty's faithful Subjects in this Colony have been much disturbed, by various Rumours and Reports of Proceedings tending to deprive them of their ancient, legal, and constitutional Rights; and whereas the Affairs of this Colony are frequently connected with those of Great Britain, as well as of the neighbouring Colonies, which renders a Communication of Sentiments necessary: In Order, therefore, to remove the Uneasinesses, and to quiet the Minds of the People, as well as for the other good Purposes above mentioned,

*Journal of
the Virginia
House of
Burgesses,
Va. State
Library,
Contempo-
rary copy.*

Be it resolved, that a standing Committee of Correspondence and Inquiry be appointed, to consist of eleven Persons, to wit, the honourable Peyton Randolph, Esquire, Robert Carter Nicholas, Richard Bland, Richard Henry Lee, Benjamin Harrison, Edmund Pendleton, Patrick Henry, Dudley Digges, Dabney Carr, Archibald Cary, and Thomas Jefferson, Esquires, any six of whom to be a Committee; whose Business it shall be to obtain the most early and authentic Intelligence of all such Acts and Resolutions of the British Parliament, or Proceedings of Administration, as may relate to or affect the British Colonies in America; and to keep up and maintain a Correspondence, and Communication, with our Sister Colonies, respecting these important Considerations; and the Result of such their Proceedings, from Time to Time to lay before this House.

Resolved, that it be an Instruction to the said Committee, that they do, without Delay, inform themselves particularly of the Principles and Authority on which was constituted a Court of Enquiry, said to have been lately held in Rhode-Island, with Powers to transport Persons accused of Offences committed in America to Places beyond the Seas to be tried.

Resolved, that the Speaker of this House do transmit to the Speakers of the different Assemblies of the British Colonies on this Continent Copies of the said Resolutions, and desire that they will lay them before their respect[ive] Assemblies, and request them to appoint some Person, or Persons, of their respect[ive] Bodies, to communicate from Time to Time with the said Committee.

(2)

New York April 14, 1773.

Contemporary copy
from Virginia State
Library.

Your Letter of the 19.th Ins.^t to the Speaker of the General Assembly of this Colony I this Day had the pleasure to receive, together with a Copy of the Resolves entered into by the hon.^{ble} the House of Representatives of the Burgesses of the Colony of Virginia; both which shall be laid before our Assembly as soon as they are convened. which do not imagine will be before the latter End of this or the Beginning of next Year, unless they should be called upon some extraordinary Occasion.

I have the honour to be with Regard

Sir, y.^r most obed.^t humb: Serv.^t

John Cruger

To the honb.^{le} Peyton Randolph Esq:
Speaker of the House of Burgesses
of the Colony of Virginia.

New York April 24, 1773

Gent:

I had the Honour of your Letter of the 6.th Ins.^t acquainting me that the Committee of Correspondence had appointed you a Select Corresponding Committee, and that in Pursuance of their Direction you request the Favour of me to transmit you a full Account of the Principles and Authority on which was constituted the Court of Enquiry said to have been lately held in the Colony of Rhode Island, with Power to transport persons accused of Offences committed in America to places beyond Sea to be tried, together with an authentic Copy of their Commission and Proceedings. As I have received no Information of the nature and purport of the Commission, nor any Account of the Proceedings had thereon, but such as has been communicated through the Channel of News-papers, it is not in my power to give you an authentic Copy of either. We have no Committee of Correspondence of the same kind with yours appointed, but as soon as our Assembly meets shall lay your Letter before them.

. . .

I have the honor to be with regard,
Gent., your mo. obt. St.,

John Cruger.

(3)

Newport May 15.th 1773

Original
from Vir-
ginia State
Library.

Sir

I had the Pleasure of receiving your Favour of the 19.th of March with the Resolves of the House of Burgesses of Virginia; which,

with the Letter from your Committee of Correspondence, I laid before the House of Deputies of this Colony at their Meeting the last Week.

The House thoroughly convinced that a firm Union of the Colonies is absolutely necessary for the Presentation of their antient legal and constitutional Rights, and that the Measures proposed by your House of Burgesses will greatly promote so desirable an End, came, Nemine Contradicente, into the Resolution's of which I have the Honor now to inclose you a Copy.

I am desired to inform you that the Committee, appointed by our House of Deputies, will, as soon as possible, transmit to the Committee of Correspondence of Virginia the best Account they shall be able to obtain, respecting the Court of Inquiry lately held in this Colony.

I am, with great respect

Your most obedient Servant

Metcalf Bowler.

The Honble. Peyton Randolph Esq^r

[Endorsed on back] Metcalf Bowler Rhode Island May 15, 1773.

In the House of Deputies

May 7th 1773

Resolv'd that a Standing Committee of Correspondance and enquiry be appointed to consist of seven Persons to wit The Honble Stephen Hopkins Esq.^r Metcalf Bowler, Moses Brown John Cole, William Bradford, Henry Ward, J. Henry Merchant Esq.^{rs} any four of whom to be a Committee whose Business it shall be to obtain the most early and Authentick Intelligence of all such Acts and Resolutions of the British Parliament or Proceedings of Administration as may relate to or affect the British Colonies in America and to keep up and maintain a Correspondance and Communication with our Sister Colonies respecting these important Considerations And the result of such their Proceedings from Time to Time to lay before this House

Voted p Ord.^r J. Lyndon Cler

The above written is a true Copy of a Note of the House of Deputies or Lower House of Assembly of the Colony of Rhode Island

Teste Josias Lyndon Cler

[Endorsed on back] Resolution of the Legislature of Rhode Island
May 7.th 1773.

In the House of Deputies.

May 7th 1773

Whereas this House hath Appointed a Committee of Correspondance with Committees of the other Colonies in North America

respecting the Rights and Priviledges of the Colonies &c. It is therefore resolv'd by this House that his Honor the Governor be requested to deliver said Committees a Copy of his Commission as one of the Judges of the Court of Enquiry constituted from home and said to be held in this Colony and of all such other Papers which were laid before said Court as may be consistant with his Honor as Governor of this Colony

Voted

p Ord.^r J Lyndon Cler

The above written is a true Copy of a Vote of the House of Deputies or lower House of Assembly of the Colony of Rhode Island

Teste Josias Lyndon Cler

[Endorsed on back] Rhode Island May 7th 1773. Resolution

In the House of Deputies.

May 7th 1773

Resolv'd that the Speaker of this House be requested to write to the Speaker of the House of Burgisses in Virginia and to all other Speakers of Assemblies in North-America informing them of the Proceedings of this House relating to the Preservation of the Rights of the Colonies

Voted p Ord.^r J Lyndon Cler

The above written is a true Copy of a Vote of the House of Deputies or Lower House of Assembly of the Colony of Rhode Island

Teste Josias Lyndon Cler

[Endorsed on back] Rhode Island May 7.th 1773.

(4)

Province of } In the house of Represent-
New Hampshire } atives May 27.th 1773

Original
from Vir-
ginia State
Library.

Resolved And Voted That a Standing Committee of Correspondance and Enquiry be appointed, to consist of Seven persons, Viz.^t The Hon.^{ble} John Wentworth Esq.^r, John Sherburne, Will.^m Parker, John Spaldinge, Jacob Sheafe, Christopher Toppan, and John Pickering, Esquires any four of whom to be a Committee, whose Business it shall be to obtain the Most Early & Authentick Intelligence of all Such Acts & Resolutions of the British Parliament, or proceedings of administration, as may Relate to or affect the British Colonies in America; and to keep up and maintain a Correspondance and Communication with our Sister Colonies, Respecting these Im-

portant Considerations; and the Result of Such their Proceedings from Time to time to lay before this house

Extracted from the Journals of the House of Representatives of the Province of New Hampshire Attest William Parker Cler

To the Honorable The Speaker of the House of Burgesses of the Colony of Virginia

[Endorsed on back] New Hampshire May 27th 1773

(5)

Province of the Massachusetts Bay June 3^d: 1773

Sir

The very judicious and important Resolves enter'd into by the House of Burgesses of his Majesty's most ancient Colony of Virginia on the 12th of March last, together with your obliging Letter inclosing the same, have been laid before the House of Representatives of this Province.

Original
from Vir-
ginia State
Library.

The Wisdom of the Measure proposed in those Resolves, and the great and good Effects that may reasonably be expected to flow from them, not only to the Colonies but the Parent State, were so obvious, that the House immediately adopted them; and appointed a Committee to keep up and maintain a free Communication with Virginia and the rest of the Sister Colonies.

That there has long been a Settled Plan to subvert the political Constitutions of these Colonies and to introduce arbitrary Power, cannot in the opinion of this House admit of Doubt. Those who have aim'd to enslave us, like a Band of Brothers, have ever been united in their Councils and their Conduct. To this they owe their Success. Are they not in this Regard worthy Imitation? Here it is praise worthy to be instructed even by an Enemy.

The Object which the Conspirators against our Rights seem of late to have had much in View, has been either to lull the Colonies into a State of profound Sleep and Security, which is forever the forerunner of Slavery; or to foment Divisions among them. How necessary then, how important is it to counteract and defeat them in this fatal Design?—to awaken and fix the Attention of all to the common Danger—to open and maintain an uninterrupted Inter-course among the Colonies, that all may be fully apprised of the true State and Circumstances of each, and that the Councils of the whole may be united in some effectual Measures for restoring the publick Liberty.

That this may be the happy Effect of the truly laudable and generous Design of the House of Burgesses of Virginia is the most

ardent Wish, and it shall be the Object of the Attention of this House.

In the Name & by Order of the House
I have the Honor to be with Strict Truth & Regard
S:^r

Your most Obedient humble Servant
Thomas Cushing Speaker

To the Speaker of the Hon.^{ble} House of Burgesses
of the Colony of Virginia

Resolves inclosed.

Province of Massachusetts Bay

In the House of Representatives May 27, 1773.

Contem-
porary copy
from Vir-
ginia State
Library.

Whereas the Speaker hath communicated to this House a Letter from the truly respectable House of Burgesses in his Majesty's Ancient Colony of Virginia, inclosing a Copy of the Resolves entered into by them on the 12.th of March last, and requesting that a Committee of this House may be appointed to communicate from Time to Time, with a corresponding Committee then appointed by the said House of Burgesses in Virginia.

And whereas this House is fully sensible of the necessity and Importance of an Union of the several Colonies in America, at a Time when it clearly appears that the Rights and Liberties of all are systematically invaded; in Order that the joint Wisdom of the whole may be employed in consulting their common Safety.

Resolved that this House have a very grateful Sense of the Obligations they are under to the House of Burgesses in Virginia, for the Vigilance, firmness and Wisdom, which they have discovered at all Times in Support of the Rights and Liberties of the American Colonies; and do heartily concur with them in their said judicious and spirited Resolves.

Resolved that a standing Committee of Correspondence and Enquiry be appointed to consist of fifteen Members, any eight of whom to be a quorum; whose Business it shall be, to obtain the most early and authentic Intelligence of all such Acts and Resolutions of the British Parliament, or proceedings of Administration, as may relate to, or affect the British Colonies in America; and to keep up and maintain a Correspondence and Communication with our Sister Colonies respecting these important Considerations; and the Result of such their Proceedings from Time to Time to lay before the House.

Resolved that it be an Instruction to the said Committee, that they do, without Delay, inform themselves particularly of the Principles

and Authority on which was constituted a Court of Enquiry, held in Rhode Island, said to be vested with Powers to transport persons accused of Offences committed in America, to Places beyond the Seas to be tried.

Resolved that the said Committee be further instructed to prepare and Report to this House a Draught of a very respectful Answer to the Letters received from the Speaker of the honorable House of Burgesses of Virginia, and the Speaker of the honorable House of Representatives of the Colony of Rhode Island: also a circular Letter to the Speakers of the several other Houses of Assembly on the Continent, inclosing the aforesaid Resolves; and requesting them to lay the same before their respective Assemblies, in Confidence that they will readily and cheerfully comply with the wise and salutary Resolves of the House of Burgesses of Virginia.

Then the House immediately made Choice of the following Gentlemen to be the Committee of Correspondence & Communication with the other Colonies. viz:

M.^r Speaker, M.^r Samuel Adams, honb.^{le} John Hancock Esq; M.^r William Phillips, Capt. William Heath, honb.^{le} Joseph Hawley Esq; honb.^{le} James Warren Esq; Richard Derby Jun.^r Esq; M.^r Eldridge Gerry, Jerethmeel Bowers Esq.^r Jedediah Foster Esq; Daniel Leonard Esq; Capt. Thomas Gardner, Capt. Jonathan Greenleaf, and James Prescott Esq.^r

a true Copy

Attest Samuel Adams Cler:

(6)

Fairfield in Connecticut 24 June 1773

Sr

I have it in command from the House of Representatives of this Colony to acknowlege the Receipt of Your Favour of the 19th March Last together with Resolutions of the Patriotic House of Burgesses of the Colony of Virginia which came to my Hand in May Last when the Assembly of this Colony was Sitting which without delay I communicated in the House of Representatives of this Colony and received their commands to transmitt to You the Resolutions they came into thereupon and request you as early as may be to Lay them before that Hon.^{le} House by which they will see how readily they approved of cheerfully adopted the Measures proposed to them and have appointed a Com.^{tee} of Correspondance as requested to and by whom matters relative to the general Interest of the Colonies may

Original
from Vir-
ginia State
Library.

be communicated they have expressed themselves so fully in the Matters as Leave me no room to add any thing but that

I have the Honour to be with great truth

Sr

Your most Obedient Hum.^{le} Ser^t

The Hon.^{le} the Speaker of the }
House of Burgesses in Virginia }

Ebenezer Silliman

[Endorsed on back] June 24, 1773.

Resolves inclosed.

In the House of Representatives of the Colony of Connecticut.

Friday the 21.st May 13. Geo. 3.^d 1773.

Contempo-
rary copy
from Vir-
ginia State
Library.

M.^r Speaker having laid before the house, a Letter from the Speaker of, and certain Resolutions entered into by the House of Burgesses of the Colony of Virginia, on the 12.th of March last, Viz:

Whereas the Minds of his Majesty's faithful Subjects in this Colony, have been much disturbed by various Rumors and Reports of Proceedings, tending to deprive them of their ancient legal and constitutional Rights.

And whereas the affairs of this Colony are frequently connected with those of Great Britain, as well as of the neighbouring Colonies which renders a Communication of Sentiments necessary. In order therefore to remove the Uneasiness and quiet the Minds of the People, as well as for the other good Purposes above mentioned.

Be it Resolved, that a standing Committee of Correspondence and Inquiry be appointed to consist of eleven Persons to wit, the honorable Peyton Randolph Esquire, Robert Carter Nicholas, Richard Bland, Richard Henry Lee, Benjamin Harrison, Edmund Pendleton, Patrick Henry, Dudley Digges; Dabney Carr, Archibald Cary and Thomas Jefferson esquires, any six of whom to be a Committee, whose business it shall be to obtain the most early and authentic Intelligence, of all such Acts and Resolutions of the British Parliament or Proceedings of Administration, as may relate to or affect the British Colonies in America, and to keep up and maintain a Correspondence and Communication with our Sister Colonies, respecting these important Considerations, & the Result of such their proceedings from time to time to lay before this House.

Resolved that it be an Instruction to the said Committee that they do, without Delay, inform themselves particularly of the Principles and Authority, on which was constituted a Court of Inquiry, said to have been lately held in Rhode Island, with powers to transport persons accused of offences committed in America to Places beyond the Seas to be tried.

And further resolving that the Speaker of the said House of Burgesses, do transmit to the Speaker of the different assemblies of the British Colonies on this Continent, Copies of the said Resolutions and desire that they will lay them before their respective Assemblies, and request them to appoint some person or persons of their respective Bodies to communicate from time to time with their said Committee.

This House taking into Consideration the Contents of the said Letter, the aforesaid Resolutions and the Reasons on which they are founded, are of opinion that they are weighty & important in their Nature and Design, calculating and tending to produce happy and salutary Effects, in securing and supporting the ancient legal constitutional Rights of this and the Colonies in general, do therefore approve of and adopt the Measure.

And thereupon resolved that a standing Committee of Correspondence and Inquiry be appointed to consist of nine persons, to wit, the honorable Ebenezer Silliman Esq. William Williams, Benjamin Payne, Samuel Holden Parsons—Nathaniel Wayles, Silas Deane, Samuel Bishop, Joseph Trumbull, and Erastus Wolcott Esquires, whose Business it shall be to obtain all such Intelligence and to keep up & maintain a Correspondence and Communication with our Sister Colonies respecting the important Considerations mentioned & expressed in the aforesaid Resolutions of the patriotic House of Burgesses of the Colony of Virginia, and the Result of such their Proceedings from Time to Time to lay before this House.

Resolved, that the Speaker of this house do transmit to the Speakers of the different Assemblies of the British Colonies on this Continent, Copies of these Resolutions, and request that they will come into similar Measures, and communicate from Time to Time with said Committee, on all Matters wherein the Common Welfare and Safety of the Colonies are concerned.

The foregoing Resolutions being severally read a third Time, were on the Question put, agreed to by the house.

a true Copy extracted from the Journals

Attest. W.^m Williams Cler: D. R.

(7)

Maryland Dec.^r 6, 1773.

Sir,

I took the earliest Opportunity after the Receipt of your Letter of the 19.th March, to lay the Resolutions of your House of Burgesses, before the House of Delegates of this Province at their meeting in June last. They then had them under Consideration but before any Resolutions were entered into, an unexpected Proroga-

Contemporary copy from Virginia State Library.

tion took place. At their next meeting in October, they resumed the Consideration, and most readily came to the Resolutions, which I have now the honor to inclose, and which I have in Command to transmit to you, requesting you will lay them before the House of Burgesses of the Colony of Virginia

I am Sir, with great Respect, your mo.^t ob.^t S.^t

Matt : Tilghman

By the Lower House of Assembly.

Friday October 15.th 1773.

Original
from Vir-
ginia State
Library.

The Order of the Day being read the House took into Consideration the several Letters and other Papers communicated to this House by the Honourable Speaker and addressed to him by the Honourable the Speakers of the several Colonies of Virginia, Massachusetts Bay, Connecticut and Rhode Island and resolved Unanimously, That this House most cordially accept the Invitation to a mutual Correspondence and Intercourse with our Sister Colonies

Resolved unanimously, That a standing Committee of Correspondence and Enquiry be appointed to consist of eleven Persons to wit, The Honourable Matthew Tilghman Esquire, Speaker, John Hall, Thomas Johnson, William Paca, Samuel Chase, Edward Lloyd, Matthias Hammond, Josias Beall, Jame Lloyd Chamberlaine, Brice Thomas Beale Worthington, and Joseph Sim, Esquires any five of whom to be a Committee whose Business it shall be to obtain the most early and authentick Intelligence of all such Acts and Resolutions of the British Parliament or Proceedings of Administration as may relate to or affect the British Colonies in America, and to keep up and maintain a Correspondence and Communication with our Sister Colonies respecting these important Considerations, and the Result of such their Proceedings from Time to Time to lay before this House

Resolved unanimously That the Speaker of this House transmit to the Speakers of the different Assemblies of the British Colonies on this Continent Copies of the above Resolutions.—

Extract from the Journal of the Lower House of
Assembly of the Province of Maryland

p Jn.^o Duckett Cl. Lo. Ho.

APPENDIX II

COUNCIL PROCEEDINGS

[SEE INTRODUCTION.]

[PROCEEDINGS OF THE COUNCIL ON THE 29TH OF OCTOBER 1773. RELATIVE TO THE ADJOURNMENT OF THE LOWER HOUSE FOR 13 OR 14 DAYS]

Extract from the Council Proceedings 29th of October 1773.
Were Present.

His Excellency Robert Eden Esq.^r Governor.

The Honble:	{	Benedict Calvert	}	William Haywood	Esquires
		Daniel Dulany		George Plater	
		John Ridout		Benjamin Ogle	
		George Steuart		Philip Thomas Lee.	
		Will ^m Fitzhugh			

His Excellency the Governor was pleased to inform the Council that it having been reported to him the preceding evening that the Lower House of Assembly had thought fit to adjourn themselves for 13 or 14 Days he had in consequence thereof Sent to their Clerk for their Votes and Proceedings; which are as follows, viz:†

Maryland
Council Pro-
ceedings
Force tran-
scripts, Li-
brary of
Congress
p. 4.

Thursday October 28th 1773.

George Steuart Esquire from the Upper house delivers to M.^r Speaker the bill entitled, "An act for the regulation of the Staple of Tobacco and preventing Frauds "in his Majestys Customs"—thus Endorsed. "By the Upper house of Assembly October 28th 1773. Read the Second time and will not pass.

Signed by order, U. Scott, Ck. up. Ho:."

With the following Message

(The message referred to not among the papers.) which was read and Ordered to lie on the table.

The House adjourns 'till 3 oClock

Post Meredian, The house met.

"The House taking into Consideration the propositions brought from the upper house this Morning with the Inspection Bill, rejected them Unanimously." p. 5

"The House Adjourned till Wednesday the 10th of November next to Consult, their Constituents on the Present distressed Circumstances of the Province."

His Excellency then informed the Council that he also had for their better information made a full extract from the Votes and

Maryland
Council Pro-
ceedings
Force tran-
scripts, Li-
brary of
Congress

Proceedings of the Lower House of their Resolves and Determinations in the Case of M.^r Jonathan Hagar on which this board had favoured him with their advice Soon after the Commencement of the Present Convention, which he was pleased to lay before them and is as follows—

October 15th 1773.

“Resolved that the Order of the day for taking into Consideration that part of the Report of the Committee of Elections and Privileges of last Session relative to M.^r Jonathan Hager be read—and the Same was accordingly read.

“Resolved that this House will—take the Same into Consideration.

“The House was then moved that An act of Assembly of this Province Entitled An Act for the Continuance of Actions, and Securing the peace and good government of this Province” made at a Session of Assembly begun and held at the City of Annapolis 7.th December 1751 be read, and the Same was read accordingly.

p. 6 “The House was moved that an Act for Vesting in Such foreign Protestants as are now Naturalized or Shall hereafter be Naturalized in this province all the Rights and Priviledges of Natural Born Subjects Made at a Session of Assembly begun and held at the City of Annapolis 2.^d Oc:^r 1771. be read, and it was read Accordingly.

“On taking the Same into Consideration and its appearing that the late Lord Proprietary died in the Month of September Preceding the late Session of Assembly begun and held at the City of Annapolis 2.^d Oc:^r 1771.

“Resolved that the Said General Assembly became and was thereby dissolved and that therefore the Said Act was not enacted by legal and Constitutional Authority, and is therefore void.”

“The House was moved that the Stat: in 13 Geo: 2.C. 7. Entitled, “An Act for Naturalizing &c:” be read, and it was read Accordingly.

“The House was moved that an Act of Assembly of this Province Entitled “An act for the directing the Manner of electing and Summoning Delegates &c:” Made at a Session of Assembly begun and held at the City of Annapolis 17th July 1716, be read, and it was read Accordingly.”

“The House was moved that the Stat: of 12 & 13. Will: 3. C 2. Entitled, “An Act for the further Limitation &c: be read, and it was read Accordingly.”

“The House was moved that the Stat: 1st Geo: C 4. Entitled, “An act to explain &c: (the above) be read, and it was read Accordingly.

p. 7 “The House was Moved that the 8th & 10th Sections of An Act Made in 22^d Year of Geo: 2. C 45. Entitled “An Act for the further Encouragement of the Whale Fishery &c:” be read, and it was read Accordingly.”

"The House referred the further Consideration of the Subject to the Afternoon."

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"The House adjourned till 3 oClock."

"Post Meredian, The House met :

"The House Resumed the Consideration of the Subject relative to M^r Jonathan Hagar, and after Considering the Several Statutes and Acts of Assembly aforesaid M^r Hagar was ordered to withdraw, and M^r Speaker by direction of the House put the following question"—

"That Jonathan Hagar Returned as a Representative for Frederick County not being a Natural born Subject nor descended from one, but Naturalized in 1747. Agreeable to the Statute of 13 Geo: 2. being a resident of this Province ever Since and having a free hold of 50 acres of Land be Eligible? Resolved in the Negative."

"M^r Hagar was Called in and M^r Speaker by Order of the House informed him that he was dismissed from any further attendance on this house as a Member thereof."

"Ordered, that M^r Speaker do issue his warrant to the Secretary of this Province requiring him to issue a new writt of Election to the Sherriff of Frederick County to elect a delegate to Serve in this Present Session of Assembly—in the room of M^r Jonathan Hagar, whose Seat is declared vacant."

His Excellency then remarked that the whole Conduct of the Lower House was So Extraordinary and extravagant, that he really was at a loss in what manner to Conduct himself so as at the Same time to Preserve the dignity and Authority of the Government and give every opportunity to the Representatives of the people to join with the other branch of the Legislature in enacting Such Laws as are immediately Necessary for and Conducive to the Welfare of the Province.

p. 8

His Excellency was pleased to observe, that at this late Season of the year should he so far resent this Conduct of the Lower House by Proclamation to dissolve them the necessary time required by Law for the return of the writts on a new Election would Carry the meeting of the assembly (this year) So deep into the winter Season that a regular attendance of many of the Members Could not be expected and at the Same time assured the Board that as it was impossible to pass over this unprecedented adjournment without giving up the Dignity and Prerogative of the proprietary and his government he had his doubts whether a prorogation would be Sufficiently expressive of the resentment of the two other Branches of the Legislature to this very Extraordinary behaviour of the Lower house.

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His Excellency then requested the Council to take the whole of this Matter both with regard to the adjournment and dispensing power assumed by the Lower house in the dismissal of M.^r J. Hagar into their Serious Consideration and was pleased to assure the Board that he Should be happy in being governed by their advice on this and every occasion of Such importance to the Prerogative of the Proprietary and the honour of the Government he was intrusted with.

Upon Consideration of his Excellency's representation, the Council Answered that they Could not without the utmost disapprobation and Concern reflect upon the very intemperate Proceedings of the Lower House of Assembly as well in respect of their assuming a power to abrogate an act of the Legislature by their Resolve in the Case of M.^r Hagar as of their unprecedented adjournment for 13 or 14 days without the Concurrence or Consent of any other person or previous intimation of their intention or desire to adjourn and Should not Scruple to advise an immediate dissolution of the assembly if the Present Circumstances of this Province were less peculiar than they are but as the Speedy enactment of Some Laws is Necessary for the general welfare and tranquility and a dessolution would prevent it, So they think a prorogation would be more expedient at this time than a dissolution, and it being their wish to promote these important purposes recommended to his Excellency a prorogation for 15 or 16 days and especially as there will be an opportunity of animadverting on the unconstitutional and violent Conduct of the Lower house when they again meet.

In consequence whereof His Excellency was pleased to Issue Proclamation to the Several Counties within this province, pro-
p. 10 roguing the present General Assembly to Tuesday the Sixteenth day of November next in the words following, viz:—

Maryland Ss:†

By His Excellency Robert Eden Esquire Lieutenant General and Chief Governor in and over the Province of Maryland.

“A Proclamation”

“Whereas for many important reasons I find myself under a necessity of proroguing the Present General Assembly of this Province.

I do therefore by and with the advice of the Lord Proprietarys Council of State, Prorogue the Same to Tuesday the Sixteenth day of November next. And to the intent that all persons Concerned May have due notice thereof; I do Strictly Charge and require the Several Sheriffs of this Province to Make this my Proclamation Publick in their respective Counties in the usual Manner as they will Answer the Contrary at their peril.

Given at the City of Annapolis this 29th day of October in the Third year of the Dominion of the Right Honourable Henry Harford Esquire Anno Domini 1773."

Signed by Order

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(Further Proceedings of the Lower House, of the 15th of October 1773.)

"The Order of the day being read, the house took into Consideration the Several Letters and other papers recommended to the house by the Hon^{ble} Speaker and addressed to him by the Hon^{ble} the Speakers of the Several Colonies of Virginia, Massachusetts Bay, Connecticut and Rhode Island, and Resolved Unanimously that this house most Cordially accepts the invitation to a Mutual Correspondence and intercourse with our Sister Colonies." p. 11

"Resolved Unanimously that a Standing Committee of Correspondence and Enquiry be appointed to Consist of Eleven persons, to Wit :

The Hon^{ble}: *M. F. Esq.^r Spk.^r—I.H.—T.J.—W.P.—S.C.—Col: E. Ll.—M.^r H:^c—Jo^s B:^d—J.L.C.—B.T.B.W.—& Jo Sim Esq^r* any six of whome to be a Committee whose business it shall be to obtain the Most Early and Authentic Intelligence of all Such Acts and Resolutions of the British Parliament or Proceedings of Administrations, as may relate to or affect the British Colonies in America, and to keep up and Maintain a Correspondence with our Sister Colonies respecting these important Considerations and the Result of Such their Proceedings from time to time to lay before this house."

"Resolved Unanimously that the Speaker of this House transmit to the Speaker of the different assembly's of the British Colonies on this Continent Copies of the above resolutions."

"The House adjourned till tomorrow Morning 9 o'Clock."

APPENDIX III

[SEE INTRODUCTION.]

(I)

Sir,

It is with pleasure I Inform you the people are in a way in a fair way of Recovery tho yesterday the Steward was taken with a Violent Fever & is now, Confined to his Bed. if Convenient to you shall be glad to see you on board the Neptune.

Ms. Hall of
Records,
Black
Books, IX,
144, Calen-
dar entry
1471.

I am Sir

Your H^{ble} Serv^t

Geo: Nicholson

April y^e 13th 1774

To Captain Rob^t Campbell Annapolis

Ms. Hall of
Records
Black Books,
IX, 147
Calendar
entry 1474.

Maryland ss.^t

SEAL

Rob^t Eden

By his Excellency Robert Eden Esq.^r Governor and
Commander in Chief in and over the Province of
Maryland.

Whereas by a late act of Assembly of this Province entitled "An Act to prevent Infection from y.^e Ship Chance." it was among other things enacted that y.^e Shff of A A Co.^{ty} should take into his Custody the s.^d Ship Chance et.^c et.^c until such time as the Gov.^r or Comd. in Chief for the Time being should give him Orders for her Delivery; And Whereas it appears to me by sundry Depositions that there is not at present any danger of Infection from the said Ship I do therefore hereby Command the Shff of A A Co.^{ty} to deliver The sd Ship Chance unto Rob^t Campbell the Commander thereof who is no longer withheld from removing the Same from her present Moorings and if within six Days from the Date hereof no new Symptoms of any contagious disorder should appear he is at liberty to dispose of his Servants having first had them examined by some Practitioner of Physic in the Neighbourhood where he proposes to take in his lading whose Deposition taken before some Magistrate is hereby directed to be lodged at the nearest Naval Office previous to the said Rob.^t Campbells disposal of or landing of the said Servants and such a Naval Officer is hereby required to transmit such Deposition or a Certificate thereof to me or to the Clerk of the Council by the first convenient Opportunity

Given under my hand and Seal at the City of Annapolis this 14.th
day of April Anno Domini 1774.

Signed by Order of his Excell.^{cy}

James Brook Clk

[Endorsed on back] Papers relative to the Ship Chance

Chance

Chancery

Jn^o Courts Jones

14.th April 1774—

3 Sides

9

—

27

(3)

Ms. Hall of
Records
Black Books,
IX, 148
Calendar
entry 1475.

Michael Wallace of the City of Annapolis Physician being first duly Sworn Deposeth and saith that he went on board the Ship Chance by his Excellency the Governors permission and on Examining the People found none of them dangerously Ill, the most of them much recovered and recruiting daily, and that he verily believes the

few now complaining might by changes of apparel and removing on Shore soon recover in which case he this Deponent does not think there would be any danger of Infection, and further saith that the ship is clean and well supplied with fresh Provisions and other necessities for the use of the People now on board the said Shipp.—And further this Deponent saith that the only three Persons now complaining are the Ship's Steward whose complaint proceeds from a Cold accompanied by an intermitting fever from which he may probably be recovered to day, the next a Blacksmith by the name of Hopkins confined by attack which has much weakened him tho he is able to go about—the Person by the name of Gray has a Fever Attended with a slight Delirium but no other particular Complaint And further this Deponent saith not.—

Michael Wallace

April 14.th 1774.

Sworn before

W^m Stuart

(4)

Cheasapeak Bay

April 13.th 1774

The Deposition of Robert Burn, aged twenty two Years or thereabouts, deposeth and sayeth that the Servants now on Board the Ship Chance are in a fair way of Recovery, and able to walk the Deck, the Steward of the Ship and a Hopkins a Smith excepted, who are not altogether dangerously ill—and that the Provision sent from the Port were properly distributed, and given as All men required, and the Provision's during the Passage, were dispos'd of sufficiently to the Ships Crew and servants to the best of his Knowledge, and further this Deponent sayeth not

Ms. Hall of
Records,
Black Books,
IX, 149
Calendar
entry 1476.

Robert Bourn

Sworn before me the Day and year aforesaid

W^m Stuart

(5)

Cheasapeak Bay

April 13.th 1774

The Deposition of Peter Templeton aged twenty nine Years or thereabouts, deposeth and sayeth as follows, that in March last about the Day, he this Deponent Mate of the Ship Chance anchored at the Port of Annapolis in Maryland; that during the Passage the Servants in general were healthy three or four excepted, untill their Arrival at Hampton Road, where not being able to procure any other fresh Provisions either at Norfolk or Hampton, excepting fresh Pork and Greens. which at the Request of the Servants was made into Soup with Peas, which then Did the Deponent believes brought on a general Lax or purging, which he

also bleives was not infectious—As a Report has been spread that this Deponent & Steward, of the Ship Chance did not give the People such Provisions as were sent them by the Capt and Sheriff: this Deponent, sayeth such Provisions were never kept from them, and that they had the free Use of them.—and further this Deponent sayeth not—

Peter Templetoun

Sworn before me the Day and year aforeasid

W^m Steuart.

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